the weekly
Standard

APRIL 27, 1998 $2.95

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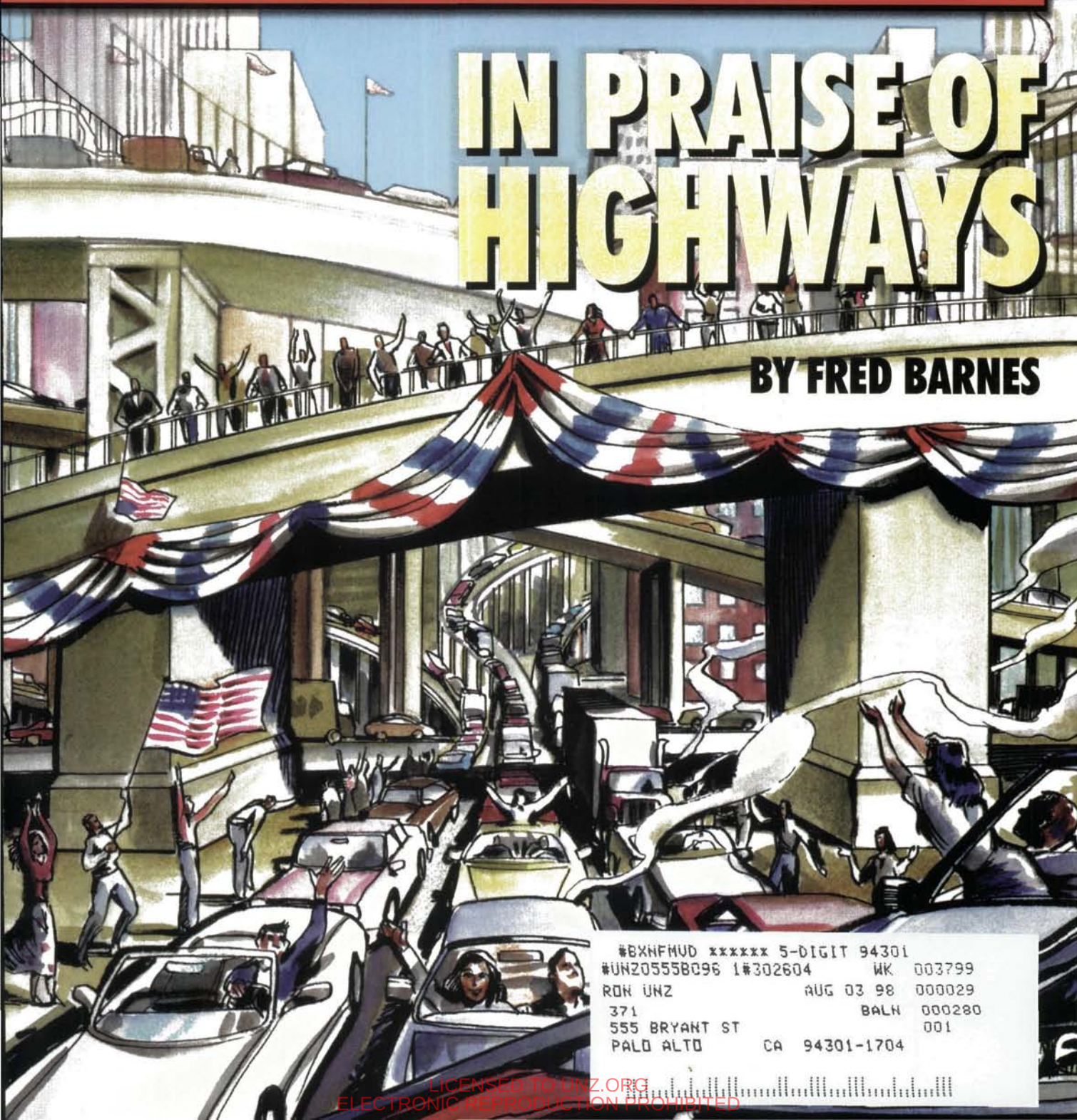
IN PRAISE OF HIGHWAYS

BY FRED BARNES



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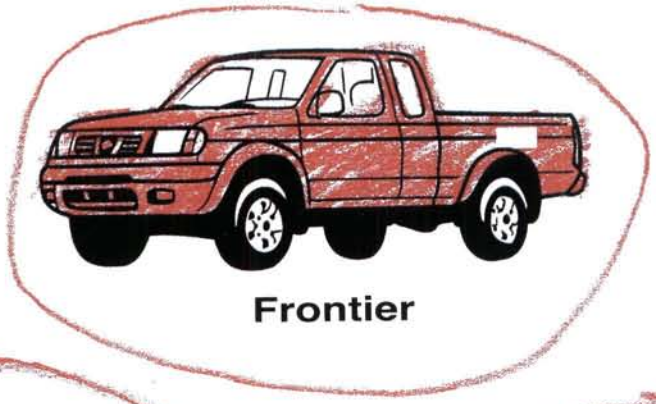

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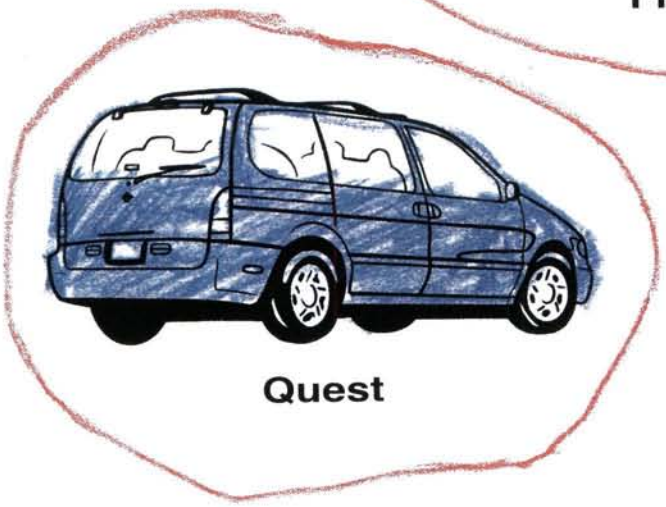

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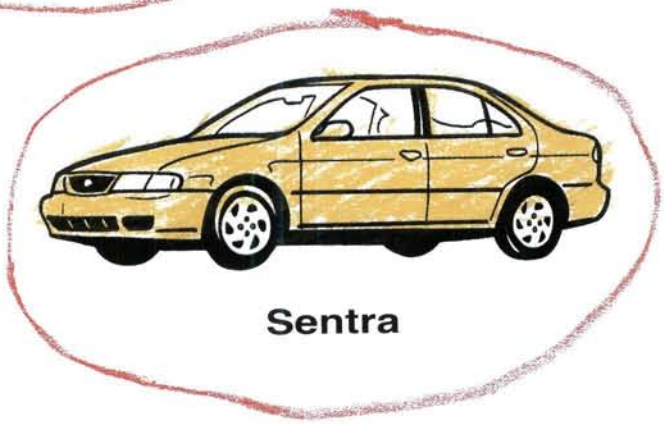

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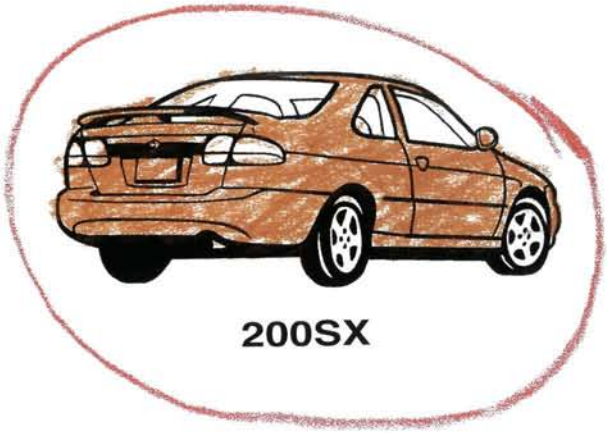

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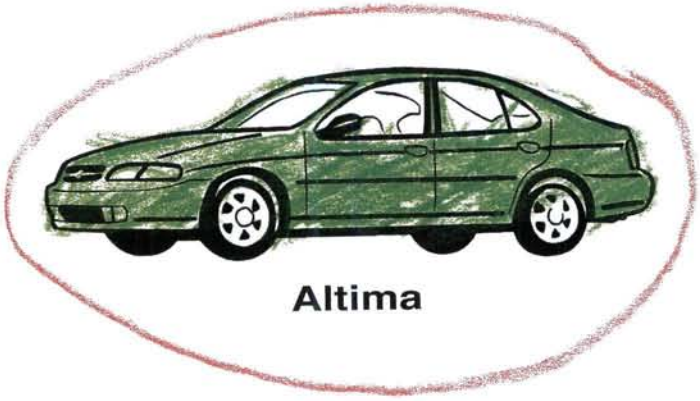

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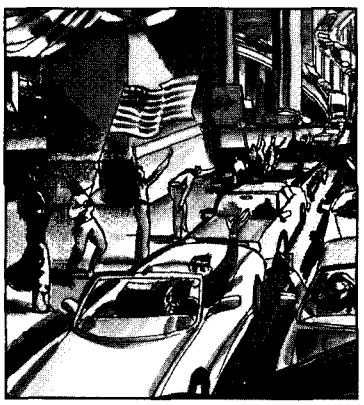

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The Audit Bureau Member

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Lie with the Lions

This month, former Miss America Elizabeth Ward Gracen is gracing the pages of *Playboy* for the second time. Back in 1992, when her nude shoot first appeared, Gracen was asked whether she'd had an affair with then-governor Clinton. She denied it—a denial she recanted last month, when she admitted to one consensual fling with Clinton in 1983.

We now know that Gracen's 1992 denial came shortly after a meeting in the San Fernando Valley between her manager Miles Levy and Mickey Kantor—then Clinton's campaign manager, subsequently his U.S. trade representative and secretary of commerce, and now his Sexgate fireman. (Kantor didn't return a call from the SCRAPBOOK, but a colleague of his confirms the meeting took place.) Mere weeks after the Levy-Kantor encounter, Gracen, who had been struggling in the decade since being named Miss America in 1982, had a job on one of the television shows produced by *ur*-friend of Bill Harry Thomason.

Gracen has retained as her lawyer Bruce Cutler, the brass-knuckles attorney best known for defending John Gotti. Cutler won't say who's paying the legal bills. Whatever legal vulnerability Gracen is worried about, she has never expressed any regret about being caught in a lie.

If it is a lie. After all, she never denied having sex with Clinton. What she said was: "At no time did any romantic relationship ever exist between the Governor and myself." The truth of her statement thus would appear to hinge on a Clinton-esque distinction between sex and romance.

"Sex may not have much to do with the craft of acting," Gracen told a reporter in 1995, "but it does have a lot to do with Hollywood."

Washington, too, apparently.

Dishonorable Discharge

A few weeks ago, the House Republican leadership thought they had safely bottled up campaign-finance reform with a bit of procedural sleight-of-hand. But here it comes again. Massachusetts Democrat Marty Meehan and Connecticut Republican Chris Shays have been collecting signatures on a discharge petition. If 218 House members sign it, campaign-finance reform starts making its way back to the floor for a vote. Supporters of the petition claim they have 200 members on board, almost all Democrats. But Common Cause says more Republicans—like Brian Bilbray of California, Tom Davis of Virginia, and Amo Houghton of New York—are threatening to join the petition signers.

If someone doesn't do something fast, the GOP is going to spend this election year either (a) killing campaign-finance reform or (b) passing a bill that hamstrings Republican donors and gives a free ride to Democrat-friendly labor unions.

No Documentation

The era of congressional junkets to tropical paradises is largely over, but now there's a new criticism: Congressmen don't travel abroad *enough*.

In a 1997 interview, Hillary Clinton bemoaned that "a very large proportion of the Congress as constituted after the 1994 election"—i.e., a Congress full of Republican rubes—had never held a passport. More recently, she declared that this "very large proportion" was 30 percent. In a February speech in Miami, Clinton chum Mickey Kantor (see above, "Lie with the Lions") ratcheted up the shocking figure to *40* percent. Then on April 4, Thomas L. Friedman of the *New York Times* chimed in: "At a time when most members of Congress don't even hold passports, when many senators really did learn their foreign affairs at the International House of Pancakes, and when the Republican Party has no foreign-policy vision or leadership whatsoever, there is a foreign-policy vacuum in America."

Says who? Former Clinton aide David Gergen credits the statistic to the non-profit National Security Caucus Foundation. The NSCF, however, claims it heard the number from an "undisclosed source" at the State Department. The truth of the matter, according to the State Department's Consular Affairs department, is that 75 percent of congressmen hold either official or diplomatic passports. Many of the rest hold tourist passports.

Leave aside whether a history of tourism is the best qualification for judging America's national interest; after all, until the president let her tag along on state visits, our very own first lady could have been said to be something

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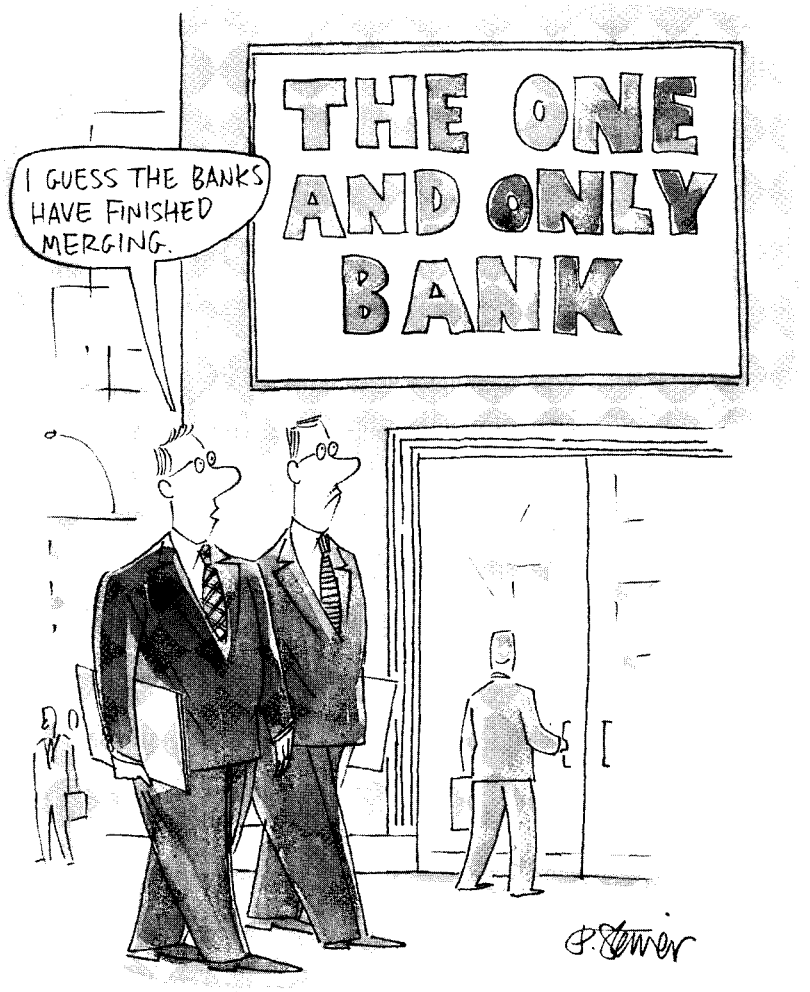

of an untraveled yokel herself. The source of the no-passports urban myth is less likely to be found in State Department files than in the self-regard of this newly minted world traveler.

A Starr Car Slur

Of all the rotten things that have been said about Ken Starr, none has been more lowdown than that he concealed perjury while representing General Motors in truck-fire cases. The ever-reliable James Carville said on *Larry King Live* that Starr was guilty of "encouraging perjury . . . when a tank blew up and killed a child." The equally reliable Joe Conason, columnist for the *New York Observer*, asked, "Is it worse to commit perjury about sex with an intern, or about the cause of automobile fuel-tank fires that have killed hundreds of men, women and children?"

Starr was vindicated last week, not that you'd know it from reading the newspapers or watching television. The Justice Department refused a request for a criminal investigation of the matter, saying that there was no "sufficient basis" for such an investigation. The week before, a circuit judge in South Carolina had denied another effort to have Starr punished for the same fictitious offense.

It is plainly too much to ask Carville or Conason to apologize or even merely to tone down the malarkey. But maybe next time, they'll have the decency to leave burnt kids out of it.

Bootless Cries

Several attentive readers have written to point out that our Clinton fashion parody in the April 13 issue could have used a bit of fine-tuning. A spelling gaffe was noticed primarily by our Texas subscribers: It's N*ei*man-Marcus, not Nieman-Marcus. If this were a Clintonian magazine, we would launch into elaborate explanations. Instead, we are forced to admit we were flat-out wrong.

One of our more upmarket subscribers—whose husband owns 14 pairs of alligator boots—thought our $650 price tag on President Clinton's alligator boots a sin against verisimilitude: "$650," she wrote, "is cheap, cheap, cheap!"

Not for this president. For that kind of money, you could probably talk to Robert Bennett for a whole 68 or 69 minutes.

Help Wanted

The Weekly Standard is seeking a full-time assistant art director. Candidates must be proficient users of QuarkXPress and Photoshop; have experience scanning black-and-white and four-color images; possess good layout and design skills. Send résumé and work examples to The Weekly Standard, Personnel Dept., 1150 17th St., NW, Suite 505, Washington, DC 20036. No calls please.

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Correspondence

Russian Hardball

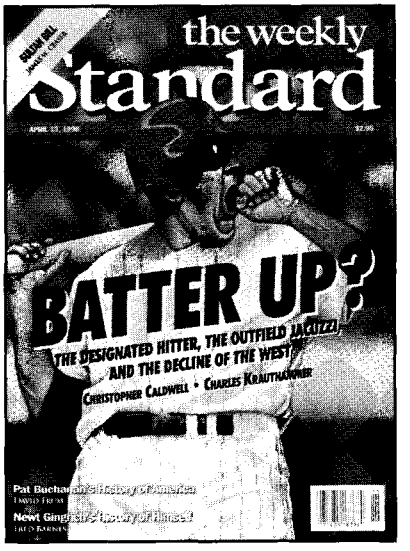
While I share Anders Åslund's puzzlement over what Al Gore admired about ex-prime minister Viktor Chernomyrdin ("Yeltsin Fires the Right Guy," April 6), I have been equally puzzled by Åslund's admiration for ex-first deputy prime minister Anatoly Chubais, the main hero of his article and a man with whom he worked while advising the Russian government. And this is not all that perplexes me: Åslund's account of key events in Russia over the last six years bears little resemblance to what I saw as a journalist there over roughly the same period.

The main sin of Åslund's chronology is one of omission. He conveniently skips over 1995, the year in which the "loans-for-shares" privatization scheme was carried out under Chubais's auspices. While Åslund, in a previous article in The Weekly Standard, downplayed the significance of the assets dispersed through this scheme, they were very significant. For example, two oil companies, each with reserves comparable to those of Exxon, were handed over to a pair of banks (including Uneximbank, Chubais's favorite) in rigged auctions. Control of the Norilsk Nickel plant, which produces more than a quarter of the world's nickel and more than a third of its cobalt, was handed over to Uneximbank in an equally fraudulent tender.

These auctions played a key role in consolidating the "government-monopolistic, mafia-corrupt model" of capitalism that Boris Nemtsov, Åslund's other hero, admitted last year was being "realized on a grand scale" in Russia. And while Åslund would have us believe that the 1997 auction of a stake in the telecommunications holding company Svyazinvest was fair, thanks to putative "Chubais-Nemtsov reforms," George Soros (who was part of the winning consortium) has conceded that describing it as such "would be an overstatement."

Åslund also refers to an unholy alliance Chernomyrdin formed earlier this year with the tycoon Boris Berezovsky and the hard-line (now former) interior minister Anatoly Kulikov. Yet in the summer of 1996, Berezovsky and Chubais worked in tandem to oust Yeltsin security chief Aleksandr Korzhakov and to get Yeltsin reelected. Later that year, Chernomyrdin, Kulikov, and Chubais worked together to get Aleksandr Lebed, the "hard-liner" who secured peace in Chechnya, fired from the government. Who was good, who was bad, and when? Åslund refers to "Chernomyrdin and his old Communist apparatchiks" as representing "the last lingering Soviet practices." Guess who said the following: "Much of what was achieved in the Soviet system, within the party system, needs to be restored, adjusted, of course, for the present-day conditions." Anatoly Chubais, in a September 1996 interview with *Izvestia*.

During the Cold War, American conservatives rightly denounced as dangerously deluded the Sovietological game of identifying "hawks" and "doves" in



the Kremlin. It may be less dangerous today, but it's no less deluded.

Jonas Bernstein
Washington, DC

Anders Åslund responds: ***Jonas Bernstein's comments are a telling illustration of the problems that arise when Western correspondents cover Russia.***

First, in serious analysis, you must establish what a person actually stands for. In the loans-for-share privatizations in late 1995, Anatoly Chubais insisted on two principles: The minimum price should at least match the going market price, and the auctions should be competitive. He won on the first point and lost on the second. As the lone reformer in the government, Chubais had limited power.

A second issue is morality. Bernstein seems to equate a slightly high book fee with billions of dollars made on all sorts of crimes. Ethically dubious—but legal—transactions cannot be equated with murder.

A third issue concerns magnitude. The current value of the three most valuable loans-for-share privatizations—Yukos, Sibneft, and Sidanko (which I certainly do not support)—is still less than 3 percent of Russia's GDP. The subsidized credits, imports, and exports in 1992 cost 75 percent of GDP.

Finally, in politics you need to form alliances, and alliances change. All anti-Communists joined hands against the Communist threat in 1996, but soon this alliance broke up, pitting crony capitalists against free marketers. This strife does not become less real because of the prior alliance.

The quote by Chubais is taken out of context. Its essence is that Russia needs a functioning state. Who would dispute that but an anarchist?

People who like neither complications nor hardball should stay away from Russian politics.

Manners Matter

In his otherwise interesting piece, James W. Ceaser creates a comic-book libertarian straw man ("In the Court of Sultan Bill," April 13). He states that the libertarian idea ("the personal is personal") holds that "consensual sexual relations are private matters that should be beyond the reach of law or custom." Libertarians would not have private matters fall within the purview of the political process. But all libertarians I know strongly endorse custom and the operation of civil society as agents of restraint and decorum. Libertarians believe, in the words of that prince of prudence and eloquence, Edmund Burke, that manners are more important than laws. Conservatives sort of grasp this notion, but Ceaser's comments leave me somewhat dubious. Liberals, of course, do not believe in manners at all, supposing that the absence of manners constitutes a perfectly acceptable lifestyle choice.

David West
Los Angeles, CA

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Casual

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A friend once told me that the surest way to avoid a speeding ticket is to have your license and registration ready for the cop by the time he shows up at your car window. Police officers appreciate the courtesy, he explained. And rooting through the glove box ahead of time might prevent the unfortunate mishaps that can occur when motorists make sudden, unexpected movements around people with guns.

Sounded like good advice to me, and I kept it in mind when a Virginia state policeman pulled me over on a highway outside Washington last fall. Reaching through the window, I handed him the documents, trying to look both contrite and friendly. He ignored my offering. "Ever heard of road rage?" the cop demanded. "I saw the way you passed that station wagon back there. That was classic road rage."

It was? I thought, feeling totally confused. The cop explained. Road rage, he said, is when a driver suffers a loss of emotional control, owing to pent-up anger, anxiety, and frustration, and projects his hostility onto other motorists. The effect on society, he explained gravely, can be devastating: "A lot of people die from it."

For a moment, I had the sensation of being trapped in a bizarre version of the *Sally Jesse Raphael Show*, a version where Sally Jesse is a 6'3" steroid-head in sunglasses with a yard-long flashlight on her belt. At that point, I probably could have beaten the ticket by promising to seek intensive outpatient counseling for my road rage. But I didn't. Instead, I foolishly blathered on about how I wasn't angry or frustrated at all, just late for lunch downtown. I could see the disappointment in the cop's eyes: *Denial*, he was thinking. A classic symptom of road rage. The fine came to more than $100.

I'm not very old, but even I remember when cops didn't sound like daytime-talk-show hosts. My first encounter with the police couldn't have taken place any earlier than 1986, and I'm certain that the three Florida sheriff's deputies who searched my car for beer didn't make a single reference to anxiety, repressed emotions, or rage-related syndromes of any kind. As I remember, they called me "boy."

Nor had attitudes in the law-enforcement community become any more progressive by the time I got to college in the late-'80s. Around 1989, one of my roommates decided it would be amusing to uproot every Stop sign in the neighborhood and throw them into the back of his car. And it might have been amusing if the signs hadn't been piled up in the driveway when a police car passed our house at 5:00 on a Sunday morning. There wasn't a lot of emotive banter as the cops led my roommate away handcuffed and barefoot. Apparently, on the way to the station, my roommate did mention something about his "rights." The cops responded by threatening to smash his cheekbones. Then they turned off the heat in the car, rolled down the rear windows, and drove around the snow-covered city for an hour and a half until his feet turned blue. Again, not a word about feelings.

Between my college graduation and my last couple of speeding tickets, something dramatic happened to the way cops talk. My guess is, documentary-style police shows have a lot to do with it. A small-town constable who tunes in to *Cops* Friday nights is apt to notice that his big-city counterparts don't bear much resemblance to the guys from *Adam-12*. On *Cops*, everyone in uniform sounds like a candidate for a master's degree in social work. People still get arrested, of course. But now they get lectured at, too. "Get some help, do you understand me?" some burly sergeant will say to a sobbing woman in a housing project as patrolmen stuff her drunken boyfriend into a squad car. "Domestic violence is a *disease*."

New Age policing can be annoying, but it can also come in handy if you know which buttons to push. A friend of mine once escaped a drunk-driving arrest by claiming protection under the Americans with Disabilities Act. The alphabet? Backwards? No way, he explained to the cop, "I've got dyslexia. That's a learning disorder, Ocifer." Spooked, the cop let him go on the condition he get off the highway as soon as possible and find a place to sleep off his disability.

I should have remembered all of this last week when a cop pulled me over for speeding on the New Jersey Turnpike. I was only following the flow of traffic, I explained lamely. He nodded, as if responding to a particularly slow child. "Let me ask you something," he said. "If the car in front of you drove off a bridge, would you follow it?"

I knew the right answer: "Wow, I never thought of that," or even, "That's an excellent point." But I just couldn't bring myself to give it. If the car in front of me drove off a bridge, I said, I would too, right through the guard rail and over the edge.

The cop looked irritated, and I wound up with an enormous ticket. But at least I didn't have to hear the lecture.

TUCKER CARLSON

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the weekly Standard

Clinton's China Syndrome

Secretary of State Madeleine Albright travels to Beijing next week, and China's leaders undoubtedly will greet her with open arms. Together, they'll be laying the groundwork for the June Sino-American summit, and Albright may intimate what new goodies the president has in store for China. Here at home, journalists and foreign-policy sages see the Clinton administration's policy of "engagement" as a sophisticated strategy for gradually "integrating" China into the international system, shrewdly accommodating its rise to great-power status, and providing time for capitalism to work its magic. But for the Chinese, "engagement" is a giant piñata: They keep whacking away, and the prizes keep falling out.

In the six months since the last Sino-American summit, the administration has been seeking new ways to make the Chinese happy. Is Beijing annoyed by pesky U.N. human-rights resolutions at Geneva? The administration announced in March it would no longer support such resolutions, even though last year U.S. officials promised to work harder to pass one. Is democratic Taiwan getting uppity? In January, Washington dispatched a group including former secretary of defense William Perry to bully the Taiwanese into repressing any thought of self-determination. Hear anything about a little place called Hong Kong lately? Not from the Clinton administration, even though democratic rights are steadily being stripped away by the Chinese authorities. (But, hey, property values are up!)

Okay, so the Clinton administration doesn't care much about democracy and human rights in China. It takes the long view. But it is concerned about American national security and non-proliferation of weapons of mass destruction, right? Well, not exactly. Since early this year, the administration has been systematically compromising America's long-term security interests to get short-term trade deals for favored business executives who are also top Democratic-party donors.

Nowhere have the kowtowing and the winking at shady U.S. business dealings been more egregious than on two important national-security issues: China's assistance to nuclear-weapons and missile projects in Iran and Pakistan; and the efforts by some U.S. corporations to provide China's own missile program with know-how and sensitive technology.

Some may recall that the much-ballyhooed "centerpiece" of last year's Clinton-Jiang summit was an agreement to allow U.S. companies to start building nuclear reactors in China, in return for which China would end nuclear cooperation with Iran and Pakistan. And the administration trumpeted a related deal: The Chinese promised Madeleine Albright they would stop supplying Iran with cruise missiles, which directly threaten U.S. forces in the Persian Gulf.

But the Chinese reneged. It turned out there really was no deal on cruise missiles, a fact that the administration let slip just days after the summit. The Chinese, it appears, still have every intention of supplying missiles to Iran. As for Chinese assurances against further nuclear cooperation with Iran, these were lies, too. Even as Clinton was certifying to Congress on January 12 that China was in full non-proliferation compliance, U.S. intelligence eavesdropped on Chinese and Iranian officials as they arranged a secret sale of hundreds of tons of chemicals to be used by Iran to enrich uranium for use in nuclear warheads.

Did the president withdraw his certification and put nuclear cooperation with China on hold? Not a chance. Clinton officials quietly let Beijing know it had been caught red-handed. The Chinese canceled the sale (or so they said); then the administration set about to cover up China's violation of its pledges. President Clinton publicly praised the Chinese for keeping their agreement "to the letter." This pleased the American nuclear-reactor businesses, whose financial clout had persuaded the White House to make the certification in the first place.

Add to that tale of administration cravenness and deception the story the *New York Times*'s Jeff Gerth broke earlier this month. According to Gerth, two U.S. aerospace companies, Hughes Electronics and Loral Space and Communications, were suspected of giving "the Chinese crucial assistance in improving the guidance systems" of their Long March intercontinental ballistic missiles in 1996. In May 1997, the Pentagon produced a classified report concluding that scientists from the two firms had indeed "turned over expertise

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that significantly improved China's nuclear missiles." As a result, said the Pentagon, "United States national security has been harmed." The problem was considered so serious that the Justice Department began a criminal investigation and impaneled a grand jury.

Now, it happens that the heads of these two corporations, Bernard L. Schwartz of Loral and C. Michael Armstrong of Hughes (now chief executive of AT&T), have financial and political influence with Bill Clinton. Schwartz, in fact, was the largest personal donor to the Democratic party last year. Armstrong, who over a four-year period effectively lobbied the president to ease licensing restrictions on an array of technology, was named to Clinton's Export Council in 1994.

This is the kind of person Clinton listens to. Thus, in February, Clinton granted Loral a waiver to sell the Chinese the very missile-guidance technology that the company was under investigation for illegally providing two years before. Clinton overruled both the Justice Department, which argued that the waiver would undercut the ongoing criminal case, and the Pentagon, which opposed the sale on national-security grounds.

The Chinese government and American businessmen don't have to worry that this game of piñata will be called off any time soon. At the upcoming summit, President Clinton would like to offer the Chinese a whole host of inducements, including admission to the World Trade Organization and more concessions on Taiwan. And also more sales of missile technology. In exchange for yet another round of Chinese promises to stop doing what they said they had already stopped doing, the administration would invite China into the international Missile Technology Control Regime. According to a secret administration memo uncovered by Bill Gertz of the *Washington Times*, entry into the MTCR would give China "substantial protection from future U.S. missile sanctions and would expedite somewhat the consideration of MTCR-controlled U.S. exports to China." Clinton's high-tech-industry cronies will be overjoyed.

But all of this raises one question: Does Congress exist? We don't expect the White House to place national security, missile proliferation, Taiwan, or human rights ahead of the interests of favored businesses and Democratic donors. But some members of Congress have expressed concern. Last year, the House passed rather tame legislation addressing some of these issues. So far, it hasn't moved an inch in Trent Lott's Senate. Perhaps the senators could bestir themselves to pass that bill and send it to the president's desk before the summit. Perhaps the relevant committees might want to investigate the *New York Times*'s revelations. Perhaps they might quiz Secretary Albright on just what the administration plans to offer China this June. Perhaps, indeed, Congress should challenge an "engagement" with China that is looking more and more like outright appeasement. ♦

Building Bosnia

by David L. Bosco

Sarajevo

THE WEST MAY FINALLY have found part of its exit strategy in Bosnia. He is six feet, three inches tall, plainspoken, and the new prime minister of the Republika Srpska, one of two Bosnian entities recognized by the Dayton Accords. His name is Milorad Dodik, and he was elected to his post in January with a little help from some Western friends. His emergence signals that the peace process in Bosnia, stagnant for so long, has reached a new and more productive phase.

A businessman and opposition figure during the war, Dodik was selected only after an earlier candidate had tried and failed to gain a majority in the newly elected, and badly divided, Serb parliament. Dodik's election came late at night when most of the hardline Serb deputies had left. The vote that put him over the top was cast by a parliamentarian escorted back to the meeting by a contingent of NATO troops. (Dodik also received important political support from the fiend-turned-fixer, Yugoslavian president Slobodan Milosevic.)

The new Serb government has taken steps that its predecessors had obstructed for months. One of the more important reforms it has agreed to is the creation of Bosnia-wide license plates that do not betray the origin of the car. Common plates will curtail the sinister games that local police in Bosnia often play with travelers of other ethnicities. Most important, Dodik has promised to begin in earnest the process of returning people to their homes. Breaking down Bosnia's still-formidable demographic division is essential to a self-sustaining peace process. Serb territory has, until now, been almost totally closed to its former Muslim and Croat inhabitants.

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Dodik has spent many of his early days on junkets in foreign capitals, lobbying for the dispersal of funds to his new and improved Republika Srpska. The fragility of his regime is a principal selling point. In Washington last month, he warned a standing-room-only crowd, "If financial help doesn't arrive soon, I may be forced to leave." Determined to avoid such an eventuality, both the United States and the European Union have thawed previously frozen funds. Now, with the financial crisis easing and Serb civil servants receiving salaries for the first time in months, the challenge for Dodik will be facing down the obdurate and often corrupt local officials who retain much power in Serb areas.

The appearance of a pro-Dayton figure like Dodik, and his recent friendly tour of Western Europe and America, has set the Sarajevo government back on its heels. Accustomed to the moral high ground, Sarajevo is now scrambling to catch up. Dodik has given the Bosnian political pot a much-needed stir. In late March, two moderate politicians, one Muslim and the other Serb, hinted that they may run together in 1998 for the country's joint presidency.

As a senior European diplomat here told me recently, "We are now starting to see the difference between those who talk a good Bosnia and those who work to create it."

Dodik's dramatic election has been the most important result of a new Western stance in Bosnia. Content for more than a year after the Dayton Accords to keep the rival armies in Bosnia apart, the West finally realized the latent power of the NATO force for pushing Bosnia toward a sustainable peace rather than just a cease-fire. Beginning last summer, NATO took sides in a Bosnian Serb internal political dispute. Troops seized several police stations and handed them over to the more moderate forces, those of Serb president Biljana Plavsic. Much of Radovan Karadzic's gangland empire quickly withered.

NATO also used its muscle to crack down on war criminals and extremist media. In July, British troops seized one war criminal and shot dead another. Dutch troops followed suit a few months later. In January, even the often timid Americans got into the action, seizing an indictee who styled himself "the Serb Adolf." The effect has been dramatic. Indictees are now turning themselves in at NATO checkpoints, something difficult to imagine only a year ago. The big fish, it is true, remain free. But the air in Bosnia is becoming difficult to breathe for the war criminals who were once its lords. It is even rumored that Karadzic, underground and out of power, has begun negotiations on surrender.

The irony is that the recent success in the Bosnian mission has come from blatant defiance of the conventional wisdom about peacekeeping. It was long an article of faith in peacekeeping circles that impartiality and the non-use of force must be maintained at all costs. To be sure, these were rules constructed for the lightly armed U.N. peacekeepers of yesteryear. Yet the insidious effects of this doctrine took some time to overcome. When NATO first deployed troops in Bosnia, it stuck to a rigid definition of its mandate. In perhaps the most notorious instance of what some have called "mission shrivel," NATO stood by as Serb extremists hounded the Serb population out of Sarajevo's suburbs, which were being transferred to the Muslim and Croat-dominated federation. In its interpretation of "peacekeeping," NATO has made quantum leaps since 1995.

More fundamentally, the progress in Bosnia has come because American decision-makers largely ignored those on Capitol Hill (and within their own ranks, such as Secretary of Defense William Cohen) who issued shrill warnings about "mission creep." Thinking on foreign policy at the congressional level is still plagued by the notion that interventions abroad can be quick, painless, and stamped, like so many cartons of milk, with expiration dates (an illusion Charles Krauthammer has dubbed "immaculate intervention").

Sens. James Inhofe and Kay Bailey Hutchison have been the chief alarmists. To them, nation-building is the ultimate of evils. Views like theirs have made the phrase *verboten*, and the Clinton administration thus lacks the vocabulary to explain the mission. For there is no better term for what is being attempted in Bosnia than nation-building, or, more precisely, state-building. The concept is not, as the conventional wisdom would have it, inherently flawed. State-building in Somalia was ill considered because the United States lacked knowledge of local politics and the commitment to pull it off.

Bosnia is no Somalia. Western commitment is deep; Bosnia's European neighbors are well aware that renewed fighting would send another wave of refugees across their borders. The international civilian officials here have become increasingly proficient at moving aside the roadblocks laid down by extremists. And the arguments of armchair partitionists aside, Bosnia is historically more natural together than apart. Steadfastness and the imaginative use of military force have moved Bosnia closer to a lasting peace.

Little of this progress would have been possible had U.S. policy been straitjacketed by the skeptics. What is denounced as "mission creep" on the Hill looks a lot like mission accomplishment on the ground in Bosnia.

David L. Bosco is a journalist based in Sarajevo.

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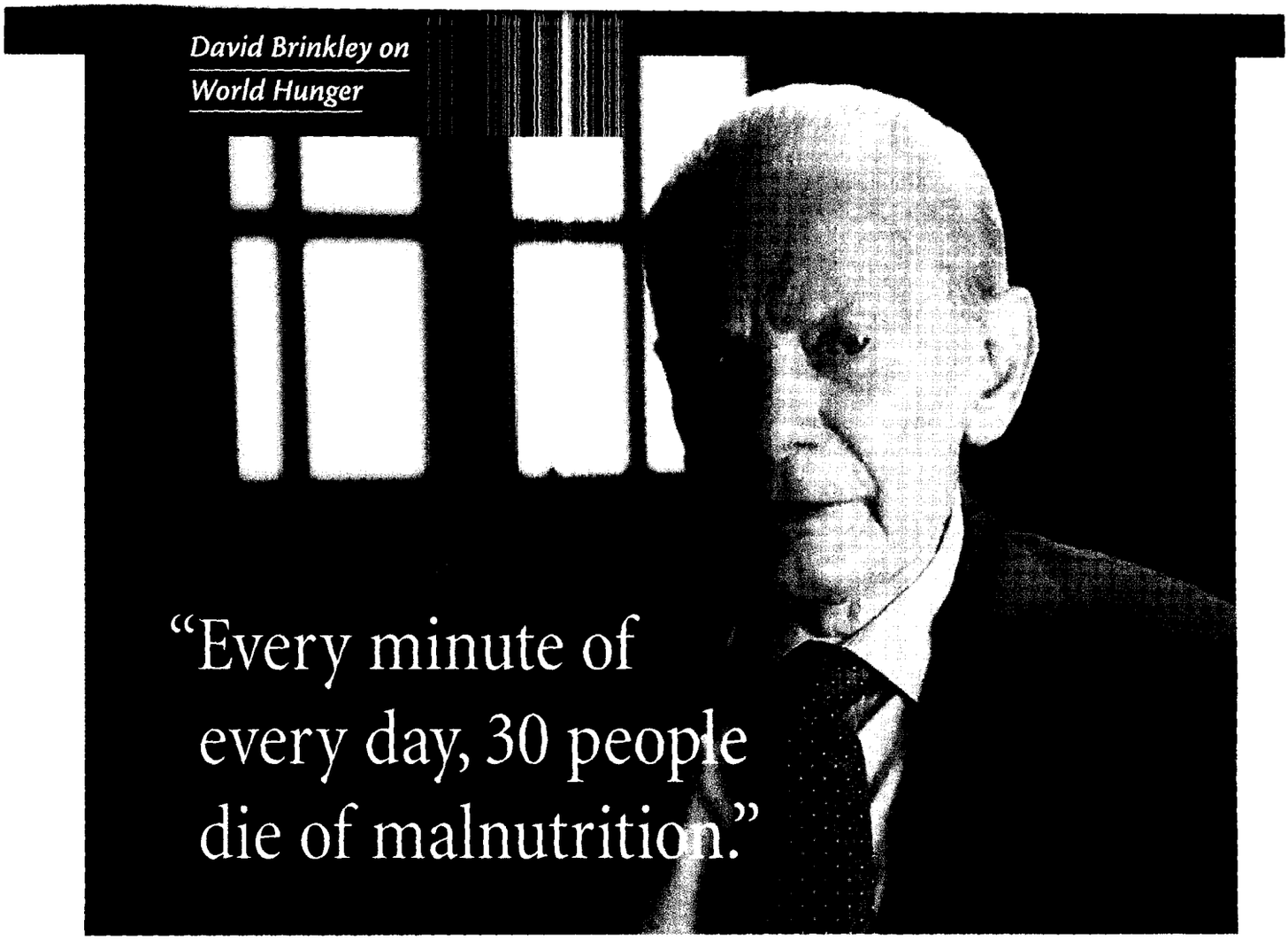

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Disabling the Prisons

by Andrew Peyton Thomas

What happens when a vague, sweeping civil-rights law is put at the disposal of antisocial citizens famous for the variety, multiplicity, and shamelessness of their lawsuits? We may be about to find out. On April 28, the Supreme Court will hear oral argument on whether the Americans with Disabilities Act applies to a prisoner. The court is likely to find in favor of the inmate. The Clinton administration seems poised to celebrate such a ruling with attempts to expand further the rights of convicts. And the blame for this legal absurdity lies not with our imperial judiciary but with Congress and the Bush administration.

In *Pennsylvania Dept. of Corrections* v. *Yeskey*, the high court will consider the appeal of a Pennsylvania inmate who was denied admission to a "motivational boot camp program" because of a history of high blood pressure. Yeskey sued the state prison system for violating his rights under the Americans with Disabilities Act. The ADA provides that "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity."

In July 1997, the Third U.S. Circuit Court of Appeals ruled that Yeskey and his fellow prisoners should not be barred from bringing disabilities lawsuits. The disabilities act, the court said, "must be held to apply to state and local correctional facilities." Both the Seventh and the Ninth Circuits have agreed with this portentous interpretation. Congress, the courts noted, drafted the law so broadly as to apply even to prisoners. If the Supreme Court endorses this view, the ADA may turn out to be the greatest wellspring of prisoner litigation since the invention of habeas corpus in the Middle Ages.

Last year, Judge Richard Posner of the Seventh U.S. Circuit Court of Appeals handed down a compelling analysis of the ADA's application to prisons, on which the Third Circuit relied heavily in *Yeskey*. Posner noted in *Crawford* v. *Indiana Dept. of Corrections* that the ADA doles out rights to all "qualified individual[s] with a disability" who are denied access to "services, programs, or activities of a public entity." The state of Indiana conceded that the ADA applied to prison employees but contended that inmates fell outside its ambit. "The difficulty" with this interpretation, Posner noted, "is that the statute furnishes us with no implement for drawing the line there."

The statute's language is generous indeed—much of it borrowed from the Rehabilitation Act of 1973. By 1990, when Congress passed the ADA, the courts had interpreted the Rehabilitation Act as applying to prisons and prisoners. When Indiana urged a different interpretation of the ADA, it was effectively "asking us to amend the two statutes," noted Posner. And while judges do from time to time unveil "judge-made statutory exceptions so weakly rooted in the statute as to be fairly described as judicial amendments," the Seventh Circuit would not do the same on Posner's watch. Congress, he found, seemed to regard disability-based discrimination as so "unfair and even odious" that it designed the ADA to penetrate even the walls of penitentiaries.

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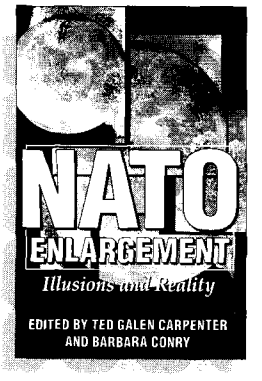
—**Michael Mandelbaum,** Johns Hopkins University

NATO has been an alliance without a mission since the end of the Cold War. Even as plans for expansion go forward, the post–Cold War mission of the alliance remains unclear.



What is clear, however, is that NATO enlargement will create several problems. By including the Czech Republic, Hungary, and Poland while excluding other nations, NATO expansion threatens to create a new division of Europe and provoke Russia. Even worse, expansion would saddle the United States with unrealistic security obligations.

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The two circuits that have refused to apply the ADA to inmates, the Fourth and the Tenth, have done so with rulings that seem strained and result-oriented compared with Posner's opinion. The case that thrust the issue before the Fourth Circuit, *Torcasio* v. *Murray*, had as its star plaintiff an inmate pressing an ADA claim based on obesity. The court ruled that when Congress wishes to regulate prisons, a "core state function," it must express this intention unambiguously. In *White* v. *Colorado*, the Tenth Circuit ruled tersely that the inmate's ADA claims were not "viable."

While these cases were wending their way through the courts, the Clinton administration was aggressively pursuing a second front in the campaign to extend prisoners' rights. The Individuals with Disabilities Education Act of 1975 (IDEA) guarantees a "free appropriate public education" to all disabled Americans through high school or age 21. The act defines "disabilities" as including "serious emotional disturbances," which under the regulations cover "inappropriate types of behavior or feelings" and "a general pervasive mood of unhappiness or depression." In September 1992, as one of its last acts, the Bush administration published a regulation that applied IDEA to educational programs in "state correctional facilities." Since then, the Department of Education has scoured the country for scofflaws, citing at least 20 states for noncompliance and threatening to withhold federal education funds in retaliation.

Sean Delonas

Last year, Gov. Pete Wilson of California fired off a letter to Education secretary Richard Riley excoriating the Clinton administration for enforcing IDEA in prisons and mandating "special education for death row inmates and violent criminals." Failure by the Golden State to provide this costly instruction could lead to the loss of over $300 million in federal special-education funding. Wilson pointed out that the youths transferred to adult prisons typically are hardened criminals; California has more than 700 such inmates sentenced to life without parole and two currently on death row.

The Americans with Disabilities Act has enough problems without applying it to inmates. Deliberately open-ended, the ADA invites exploratory litigation. It is therefore ripe for abuse when placed in the hands of criminals practiced in barratry. Congress should make it clear that rights under the ADA and IDEA are among those that convicts leave behind when they pass through the prison gate.

Andrew Peyton Thomas is an attorney in Phoenix.

Still Counting by Race

by Matthew Rees

Old habits die hard at the University of California. A law passed by the state's voters in 1996 prohibits UC schools from using race or gender in admissions, but that hasn't stopped them from trying to determine the racial breakdown of the students they admit. This year, a formidable obstacle loomed: More than 13,500 applicants left the "ethnic identity" box blank on their application forms (up 154 percent from last year). But UC officials proved resourceful. Without informing the students, they retrieved their SAT tests—which also include an "ethnic identity" box—and found the information they were looking for. More than four out of five of the applicants who had left the box blank turned out to be white or Asian.

Why would a university engage in racial snooping? UC administrators emphasize they only want to obtain

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Spring 1998

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a more complete demographic profile of admitted students. But actually, university officials are obsessed with race and ethnicity. In 1996 they were uniformly opposed to the California Civil Rights Initiative (Proposition 209), and now they're intent on broadcasting its disparate impact. The discovery that 80 percent of the admitted students whose race was previously undetermined are white or Asian bolstered their case, making the black and Hispanic percentages of admitted students even smaller than had at first appeared.

Armed with this bad news, the chancellors at Berkeley and UCLA held press conferences on March 31 to announce the decline in the number of blacks and Hispanics admitted to this fall's freshman class. The press ate it up. The *New York Times*, the *Washington Post*, the *Los Angeles Times*, and the *San Francisco Chronicle* all gave the story front-page treatment (the latter two papers also ran editorials the same day). The headlines trumpeted the fact that black and Hispanic admissions were "off sharply" (*New York Times*) or had "plunged" (*Washington Post, Los Angeles Times*).

At first blush, the numbers seem startling. Black admissions are down 64 percent at Berkeley and 43 percent at UCLA. Hispanic admissions are off 53 percent at Berkeley and 33 percent at UCLA. "We are seeing these campuses returning to a race-exclusive status," fumes NAACP Legal Defense Fund official Theodore Shaw.

But the numbers aren't nearly as bad as they seem. As Mickey Kaus pointed out in *Slate*, when the six other UC schools released their numbers—two days after Berkeley and UCLA—the decline in admissions of "underrepresented" minorities wasn't dramatic. For the entire University of California, black admissions fell from 3.5 percent of the admitted class to 2.8 percent; Hispanic admissions fell from 13.3 percent to 11.9 percent. But you had to dig to find the numbers presented this way; I finally found them in the *Sacramento Bee*.

Meanwhile, black admissions to UC-Riverside went up 42 percent, and Hispanic admissions to UC-Santa Cruz increased 7.4 percent. These statistics weren't widely reported. When the *Los Angeles Times* ran a box listing black and Hispanic admissions at UC schools, it simply omitted Riverside and Santa Cruz.

Some of the more apocalyptic stories left the erroneous impression that the blacks and Hispanics not admitted to Berkeley and UCLA were being denied the opportunity to go to college. And none of the reporting bothered to explain where these two campuses fit in California's vast three-tier system of higher education. In fact, Berkeley and UCLA are the flagships of the eight-campus University of California—in addition to which California has another 22 four-year public colleges (confusingly called "state universities"), such as San Francisco State and San Diego State, and 107 two-year community colleges (where a full-time student pays just $144 a semester). Community-college graduates can transfer with relative ease to a UC school and even have a shot at Berkeley or UCLA. In the state universities, already 7.5 percent of the students are black, 22 percent Hispanic; and come this fall, says spokesman Ken Swisher, "we're expecting an increase in minority admissions."

Racial and ethnic pressure groups dismiss this wealth of educational opportunity and focus instead on how grades and test scores exclude many blacks and Hispanics from California's most selective public universities. They might have a legitimate gripe if blacks and Hispanics were graduating from California universities at roughly the same rate as whites and Asians. Sadly, they aren't.

GRADUATES OF CALIFORNIA'S 107 COMMUNITY COLLEGES (TUITION: $144 A SEMESTER) REGULARLY TRANSFER TO UC SCHOOLS.

At UCLA and Berkeley, about 60 percent of blacks and 70 percent of Hispanics graduate within six years of enrollment. The corresponding figure for whites is 83 percent, and for Asians 86 percent. Not all of the dropouts have flunked, but many have. The lesson? Instead of UCLA or Berkeley, some of these students should have attended a less competitive school, like UC-Santa Barbara or Chico State.

Amid all the hand-wringing about declining minority admissions, some good news has been overlooked: The incoming freshmen at Berkeley and UCLA have the strongest academic profiles in the schools' histories. Half of the Berkeley applicant pool had grade-point averages of 4.0 or higher, while the average GPA for students admitted to UCLA was 4.19 (an A in an Advanced Placement course counts for 5 points). As for the admissions process throughout the University of California, a candid assessment came from provost Judson King. He pointed out that overall, the numbers show that UC's plan to offer admission to the top 12.5 percent of graduating seniors "is working and that we are able to admit a good many students of all types." In the press, King's comments were almost completely ignored.

Matthew Rees is a staff writer for THE WEEKLY STANDARD.

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In Praise of Highways

By Fred Barnes

Jayson Williams, the center for the New Jersey Nets of the National Basketball Association, noticed Gov. Christine Todd Whitman in the stands during a home game last fall that the Nets lost. "Maybe if we'd have won, she'd have fixed I-287 South," he told reporters, referring to the crumbling interstate highway in northern Jersey. Gov. Mike Huckabee of Arkansas says there are two ways to get a massage in his state: "One is to go to a masseuse. The other is to drive I-40 from Little Rock to Memphis. You don't drink a cup of coffee while driving on that road." In Oklahoma City, I-40 caused a different problem. A state trooper got out of his patrol car to check a stalled vehicle and suddenly dropped to his waist in a hole in the road.

In one sense, these tales are the good news. Yes, America's interstate highway system—42,700 miles of it, once the envy of the world—is visibly deteriorating. But it's endured far longer than the 20 years it was built to last, and help is on the way. The bad news is that even if the entire $217 billion in the seemingly lavish Shuster highway bill or its Senate variant were spent on repairing interstates, it wouldn't be enough to restore, upgrade, and maintain them. And the sad fact is, only a fraction will go for maintenance.

There's worse. The system already carries two and a half times the traffic it did in 1975, and congestion is still increasing. In the past seven years, highway capacity has grown 2 percent, traffic 37 percent. The logical response would be to expand what federal highway administrator Kenneth R. Wykle calls the "existing infrastructure" and build new interstates as well. But there's no chance that either will happen any time soon. "More asphalt is not the answer," Wykle deputy Gloria Jeff told *USA Today*.

It is, though. We desperately need more highways: more interstates, more beltways, more private toll roads, more arterials radiating from cities to suburbs, and especially more highways between suburbs. There's no way around this. The alternatives—mass transit, special lanes for buses and high-occupancy vehicles, flextime, telecommuting—have failed miserably. Urban-style gridlock has been common for years now in the suburbs, exurbs, and beyond. On a typical morning, traffic backs up on I-95 for 20 miles outside Washington. The refrain from planners, urban experts, environmentalists, and government officials is that people should get out of their cars and walk or ride buses or trains. But people simply won't do it. "We've got to educate the American people," says Jeff. That won't work either. Everyone knows about mass transit and carpooling. They just prefer to drive to work or anywhere else, usually alone. Who can blame them? A car gives them flexibility, mobility, and speed in getting around. In most cities, only those who can't afford a car (the young, old, and poor) are willing to take the bus or train. That's why these people are known as "captive riders."

For what it's worth, I like highways, the more lanes, the better. Without a thick network of them, America would have the transportation system of Pakistan, and the economy too. Interstates have the advantage of being twice as fast and twice as safe as other roads. And they used to be fun to drive on. When freeways in Los Angeles and then interstates were built in the '50s and '60s, they were things of beauty. In L.A., "some details of the system, such as the graceful intersection of the Santa Monica and San Diego freeways, raised civil engineering to the level of art and can be compared to the finest achievements of

Fred Barnes is executive editor of The Weekly Standard.

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bridge builders in the 19th and 20th centuries," insists Christopher Finch in *Highways to Heaven: The Auto Biography of America.* Interstates normally cut through rural areas without disturbing the natural setting. Elevated highways in downtowns aren't as unobtrusive and may have done unintended harm. President Dwight Eisenhower, father of the interstate system, never envisioned interstates penetrating cities in the first place. On balance, though, cities have been fortunate to have them. Freeways, by spurring commerce and tourism, actually slowed the demise of cities.

My affection for highways has nothing to do with the real reason more are critically needed. America has changed dramatically since the interstate grid was designed in the early 1950s and thousands of lesser highways were built. For one thing, the main commuting pattern is no longer suburb-to-city but suburb-to-suburb. You know, Gwinnett County, Georgia, to Marietta, not Gwinnett to downtown Atlanta. Since 1960, such commutes have quadrupled. By 1996, suburb-to-suburb trips accounted for 44 percent of all commutes nationwide. Of the 19 million new jobs created in the 1980s, 13 million were in the suburbs. So the problem is that there aren't enough highways to handle the suburban traffic surge. More beltways—and especially outer beltways, like the one being completed in Paris—are urgently needed. Partial ring roads would help too. Mass transit isn't the answer. People now "trip-chain." That means they do other things on the way to work (take kids to school, drop off laundry) and on the way home (buy groceries, stop at the bank). "That lifestyle pretty much precludes the use of transit," says transportation consultant Alan E. Pisarski. Or carpools.

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Road rage in Falling Down.

The way goods are now produced and sold in America virtually mandates the use of trucks. Warehouses and large inventories are out, as manufacturers and retailers have adopted just-in-time delivery. Since they depend on trucks to do most of the delivering, they also are "more and more dependent on highways," says Larry Magid, director of transportation for the National Governors' Association. "The speed with which you can get your product to market gives American companies their competitive advantage." To avoid highway delays, Federated Department Stores dispatches its trucks at night. Wal-Mart schedules deliveries within an hour window.

Not surprisingly, truck traffic on highways has soared—3M alone makes 800,000 truck deliveries a year—and the advantage American firms have in getting products to market is being eroded. On interstates, trucks are responsible for 12.5 percent of the miles traveled, far more than projected. Congestion has become so widespread that trucks are diverting to less direct roads and interstates. Because of spillover from I-95, trucks comprise as much as 40 percent of the traffic on I-81 in the Shenandoah Valley of Virginia. (I-95 has another problem. It's the main north-south artery on the East Coast, but a 30-mile stretch of it in New Jersey was never built.) The point is, delays due to congestion or bad roads affect commerce in an unprecedented way. Now, says Magid, "the condition of the public transportation infrastructure is becoming the single most limiting factor in the ability of American businesses to make further improvements in productivity."

Nor has the highway system, with its east-west orientation, adjusted for the massive population shift to the South, Southwest, and West. Phoenix had 100,000 people when the interstates were laid out. Now it has 2.6 million. Salt Lake City had 300,000. Now it has 1.5 million. Just for starters, new interstates are needed from Phoenix to Las Vegas, the new American boomtown, and between Phoenix and Salt Lake City. An interstate (I-101) from Philadelphia to Norfolk and on to Raleigh makes sense. Meanwhile, truck traffic across the Mexican and Canadian borders has metastasized, notably since the North American Free Trade Agreement was approved in 1993. Expanding and modernizing I-35 through Texas, Oklahoma, and points north should be a top priority (including a bypass around Austin, Texas). A NAFTA highway dubbed I-69 from the Mexican border along the Gulf Coast of Texas, through Louisiana and Arkansas, and on to Indianapolis will get some money in the new highway bill, but it deserves prompt construction. Stretching I-83 all the way to Buffalo from Baltimore would facilitate trade with Canada.

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Naturally, car-haters oppose more highways. Jane Holtz Kay, author of *Asphalt Nation: How the Automobile Took Over America, and How We Can Take It Back*, believes the pre-World War I transportation mix is still right for the United States: trolleys, railroads, a few million cars, and lots of walking. (My favorite Kay line is, "In the desolate world of the parking lot, criminality grows.") Writer James Howard Kunstler blames the car for devastating land, air, and "culture in general." Though no car-hater, President Clinton wants to siphon some highway money for social spending. What's surprising is so many conservatives have joined liberals in attacking the new highway bill. They complain it's pork barrel. Okay, $14 billion for "demonstration projects" like a road connecting two presidential libraries in Texas (LBJ's and Bush's) is a bit much. But some conservative criticism makes you wonder whether conservatives would have built the interstate system to begin with. "All in all," the *Wall Street Journal* editorialized, "the highway bill is the lowest moment since Republicans regained Congress." David Frum wrote in the *New York Times* that the bill "would leave scarcely a blade of grass in the lower 48 states unpaved." Please.

Conservatives should be embarrassed by this witless rhetoric, none more than Chairman John Kasich of the House Budget Committee. He called the legislation an "abomination" and said most highway funding should be left to the states. Doesn't he know the federalism issue was resolved nearly two centuries ago and not in his favor? Henry Clay argued the federal government should have a major role in "internal improvements." The Jeffersonians said it shouldn't. Clay won. Conservatives should also be sensitive to breaking trust with taxpayers. The federal gas tax (18.4 cents per gallon) goes to a highway trust fund, at least as a bookkeeping matter. The deal with taxpayers: The money is to be spent on roads and bridges. A lot of it hasn't been. At the moment, the trust fund has a $23 billion surplus. Even the Shuster bill won't spend all the money collected for road-building, but it will come a lot closer.

Conservatives are hardly the biggest impediment to more and better highways. The largest obstacle is a string of myths about transportation in America. I've counted six of them.

Myth One: Americans have a love affair with the automobile and—irrationally and stupidly—balk at other modes of transportation. They balk all right, but it's not irrational or stupid. Americans love their car like they love their microwave. It's a useful and efficient device. Time is what matters to most people, and the average commute by car takes half the time of mass transit. Carpooling is also time-consuming. For every extra passenger, five minutes is added to a commute. Trip-chaining is especially rational, notes Alan Pisarski. "It's time efficient, it's pollution efficient and it's energy efficient." Significantly, the fuel efficiency for an auto at average occupancy is greater than that for a bus or urban train. And it's twice as safe, based on fatalities per 100 million passenger miles, to drive as to take light rail. Faster too. The average commuting speed is more than 30 miles per hour by car, 25 on heavy rail, 15 on light. Planners, of course, want the public to conform their travel to the transportation system government has provided, which means mass transit. The public has no obligation to do this.

Myth Two: Mass transit makes more sense, particularly cost-wise, than cars and highways. Maybe on paper it does, but not in real life. Transportation analyst Wendell Cox estimates that, in 1998 dollars, $350 billion has been spent on mass-transit subsidies since the 1950s, and $350 billion on interstates. Which has worked best? Interstates are flooded with cars, while transit ridership fell in 1995 to its lowest point in two decades. This is happening worldwide. "The car is less subsidized and more heavily taxed in Europe than in America, and mass transit there has received massive subsidies," James Q. Wilson wrote in *Slate*. "Despite this, auto use in western Europe grew three times faster than in the United States between 1965 and 1987." Costly rail transit rarely comes close to achieving its ridership projections. Miami promised more than 200,000 people would ride its rail system daily. It struggles to get 50,000. The Detroit People Mover gets one-eighth the projected riders, the L.A. green line one-sixth, and so on. Calculated from U.S. Department of Transportation figures for 1995, the total cost per person-mile of operating a car was 16 cents. For transit, it was 63 cents. Oh, yes: There's no evidence anywhere in the U.S.—and I mean anywhere—that investment in transit has reduced traffic congestion.

Myth Three: Highways generate new traffic. This is the Field of Dreams argument—build it and they will come. The fact is, if you don't build highways, cars will come anyway, only gridlock will be a lot worse. There are many illustrations of this, but L.A. is the best. The city has the worst traffic congestion in the country. Planners assume the network of wide freeways attracted the cars. Not so. "Relative to things that matter—population, built-up area, and traffic—L.A. is short of freeway lanes compared to the rest of America," says Peter Samuel, editor of a newsletter on toll roads. It's 50th of the top 50 metro areas in freeway

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lanes per vehicle-miles traveled. It's 49th in the number of freeway lanes per capita. Here's a little-known fact: Only half the L.A. freeway system was actually built. The struggle to build more of it goes on. I recently rode on the long-delayed Century Freeway (on which the movie *Speed* was filmed just before the highway opened in 1993) between downtown and the airport. The road had plenty of traffic. Down the median crept two small rail cars with few passengers.

Myth Four: Highways cause sprawl. It's true that good highways make developments in the far suburbs more feasible. The question is, Which came first, sprawl or highways? Almost everywhere, housing developments preceded highways. Then, highways made further development practical. But beware of those who use the word "sprawl." It's a pejorative favored by people who'd rather you live in an urban high-rise and give up your cars. What they're stigmatizing is the American dream of a single-family house with a yard.

Myth Five: Technology is the answer to America's transportation problem. Federal highway administrator Kenneth Wykle talks about "increasing the capacity [of existing roads] by leveraging technology." He's not dreaming, only expecting too much. At best, technology can relieve 10 to 15 percent of the problem, and I'm being generous. It can improve safety and give drivers information for avoiding jams. Upgrading the 160,685-mile National Highway System—it includes interstates and carries 70 percent of America's commercial traffic—will help. But smart cars that drive themselves to a designated destination are decades away (if we ever have them). Until then, technology won't offset the need for more highways. Wykle doesn't claim it will.

Myth Six: Car manufacturers, highway builders, and politicians have put one over on the American people. By subsidizing auto travel, the government purposely doomed transit and promoted suburbs. "Builders and lobbyists exulted over the implications of the interstate for peacetime mobility," writes Kay. The problem is, so did most Americans. If there was a conspiracy to get people in cars and on highways, it's been the most successful one in history. In Europe, government tried the opposite, to get folks out of cars. The result of that conspiracy: more people in cars and on highways.

The story of traffic in America is perfectly reflected in the post-World War II history of the Washington, D.C., area. In many ways, the city is a model of traffic management. Because of the complex of federal agencies, many good jobs have remained in the center city. A pleasant, 100-mile subway system dubbed Metro serves the area. Washington has the fewest single-occupancy auto commuters in the country. It has the highest rate of carpooling. It has express bus and HOV lanes on many roads. The government encourages staggered work hours to reduce gridlock. "Washington does just about as well as one can expect to do," says Pisarski. Yet the Washington area has the second-highest traffic congestion in the country (next to L.A.).

It's obvious what went wrong. Transportation planners in the 1960s predicted accurately the level of traffic in the 1990s. But their projections also assumed 1,467 lane-miles of highway that were never built. One beltway was constructed. Two outer beltways, both with bridges across the Potomac to connect suburbs and steer interstate traffic around Washington, were abandoned. An inner loop of freeways downtown was built only in snatches (from the Jefferson Memorial past the Capitol, near the Kennedy Center). But cars came. And subdivisions sprouted up as far away as the foothills of the Blue Ridge of Virginia, despite the absence of adequate highways. Road rage became common, though not as violent as Michael Douglas's gridlock-induced spree in the movie *Falling Down*.

The future looks grim. After years of debate, politicians haven't agreed on replacing the dilapidated Woodrow Wilson Bridge on I-95 with a wider span. The area's population jumped 21 percent in the 1980s, all of it in the suburbs, but Virginia still struggles with plans for a western bypass that would run near Dulles International Airport. Maryland doesn't want any bypass at all. And a proposed limited-access highway connecting I-270 and I-95 in suburban Maryland was recently killed. In every case, a small, elite minority of environmentalists, liberals, and landowners is blocking construction.

People want more highways. In Washington and around the country, it's time to provide them. Overall, highway spending has fallen 50 percent in the 1990s. Yet amazingly, conservatives, who can't agree on an agenda, are eager to define themselves in opposition to the highway bill and willing enough to align themselves with left-wing zealots who loathe cars, freeways, suburbs, malls, and economic development. Conservatives could play a useful role in the fight over highways, but this isn't it. Right now, they should be pressing to improve the current bill by returning the $36 billion earmarked for mass transit to its intended purpose, highways and bridges. Better still, they should be rising to defend a legitimate and popular function of the federal government—building highways. ♦

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Lisa Graham Keegan, Too Good for the GOP?

By David Brooks

Every so often the conservative movement casts up another hero. Sometimes the darling of the moment turns out to be a true hero, like Ward Connerly, the spokesman for the California Civil Rights Initiative. And sometimes the object of our admiration turns out to be Flake-o Supreme—mention the name of ClintonCare fighter Betsy McCaughey in front of a bunch of right-wingers and watch them stare at their shoes and try to change the subject.

At the moment, one of the right-wing poster kids is Lisa Graham Keegan, the Arizona schools chief who has created the most effective charter-school program in the country. Keegan's praises have been sung by the *Wall Street Journal* editorial page, *Reason* magazine, *National Review*, and other right-thinking organs. This time the news is good. Keegan's got the charm and intelligence of a budding political star. In fact, if anything, she is more activist in her political style and nuanced in her policy beliefs than some guardians of Conservative Correctness can acknowledge.

In 1993, Keegan was a thirtysomething state legislator in Phoenix pushing a radical school-reform plan that featured vouchers and parental choice. The state education establishment went apoplectic at the mention of vouchers and succeeded in defeating the bill. But when the legislation was reintroduced without the voucher provision, Keegan's opponents were so busy declaring victory they apparently didn't notice the radical charter-school language still lurking inside. "To this day," she says, "I don't think anybody has read the charter provision to that bill."

The provision turned out to be a time bomb that would lead to the creation of hundreds of independent public schools. It has two key features. First, there is no limit on the number of charter schools that can be established in Arizona, unlike in many states. Second, you don't have to get approval from the local school board to set up a charter (a bit like asking your boss if you can set up a competing firm across the street). Instead, the backers of a charter school—educators or parents or developers or whoever they may be—can go to one of several different bodies for approval, including the State Board of Charter Schools and the State Board of Education. Keegan was so happy with the reform potential of the new law, and so concerned about getting the law implemented properly, that she ran for superintendent of public instruction in 1994 and won.

Conservatives love to talk about charter schools, and with good reason. These are public schools that don't have to kowtow to the big bureaucracies. And while it is early yet, there is already evidence that charter schools significantly improve educational achievement. Moreover, as Lisa Keegan notes, if you want to achieve full school choice eventually, you have to set up charters now. Voters won't endorse school-voucher plans unless they first see independent public schools operating effectively. Arizona now has more than 250 charter schools, with about 27,000 students. Regular public schools have to step up their performance to meet the competition.

But Lisa Graham Keegan is more than just the leading proponent of charter schools. She's an odd mixture of Susan Molinari enthusiasm and Margaret Thatcher defiance. Her biological father abandoned her when she was three months old, eventually going off to run a beatnik coffeehouse in Carmel, Calif. Her mother remarried, choosing a no-nonsense business executive who instilled a competitive spirit in his stepdaughter and a love of political debate. Keegan was the national champion sidesaddle rider in 1978, and she did well enough in high school to be admitted to Stanford, where she majored in linguistics with hopes of becoming either a brain surgeon or a speech pathologist. After graduation she moved back to Arizona to get a masters degree in speech pathology at Arizona State University, then went on to do research at a V.A. hospital on Wernicke's aphasia, a brain disorder that prevents its sufferers from understanding the words that are coming out of their mouths.

You can supply your own joke as to how this research led to a career in politics. During the Evan Mecham scandals, Keegan became interested in, and appalled by, the state legislature. She ran for a seat in 1990, won, and ended up chairing the education committee, which led to her revolutionary bill.

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When asked what book most influenced her political outlook, Keegan immediately names Hayek's *Road to Serfdom*. She is on the libertarian side of the Republican party. At a recent conservative get-together, the Dark Ages Weekend, she found herself agreeing with the libertarian speakers. "But when Gary Bauer gets up and talks," she says, "he makes me nervous. I can't go there. I'm just uncomfortable. It feels invasive." Keegan is moderately pro-choice and a big fan of Steve Forbes—at least Forbes as he was in 1996.

But Keegan can be awkward company for Republicans and libertarians. She was the first high-ranking Republican to call for the resignation of Arizona governor Fife Symington. According to *Phoenix* magazine, this meant she was "shunned at Republican functions, tormented by the rumor mill." Symington resigned last year in disgrace. And Keegan recognizes something many libertarians have been loath to acknowledge: If you really want to dismantle the welfare state, you need a period of activist government; you need to centralize authority in order to bust entrenched interests. Many libertarians would rather preserve an ideologically pure anti-government position, which calls for dismantling power but never using it. That position is fine for those howling at government from the outside. But it doesn't amount to a governing philosophy, and it isn't much help if you are trying to modernize government from within. The Republicans' failure to come up with a governing philosophy explains the party's stagnation.

Kent Lemon

Keegan is way ahead of them. For example, she is now waging a frontal assault on the notion of local control of education. Republicans love to talk about local control; it has that comforting populist ring that gets GOP heads bobbing. But it's also a powerful barrier to education reform. Earlier this month, Keegan was testifying before Congress on school reform when, as she recalls, some of the members "alluded to the argument that the federal government should not try to denigrate local control. I just wanted to come out of my chair. Local control is a monopoly. You should not denigrate parent control, or student equality, or the decisions at a local school, but you absolutely should get in the face of local control. . . . Local control means no change. You eliminate charter schools. You eliminate voucher programs. Because all those things happen in spite of local governing boards, not because of them."

Keegan is in the midst of a long and strenuous effort to centralize Arizona's school-funding mechanism. Her goal is to eliminate local property-tax-based bond initiatives and replace the lost revenue from increased state sales taxes. Instead of districts' raising the money for their own schools, the state would raise money and allocate it to students. State dollars would go to whatever school the child attended. This plan would accomplish two things. First, it would standardize the sum spent on a child's education. Currently, rich suburbs spend a lot of money per child, while poor districts spend only a little, a pattern that has been declared unconstitutional in Arizona and many other states. Second, the plan would attach money, even for capital expenses, to the child. That ultimately would shift power to parents, who could send their kids to new charter schools, and away from district bureaucracies. "This is the single most important issue. It breaks it open," Keegan says.

A number of groups are unhappy with Keegan's ideas. The district bureaucracies, obviously—they've taken to labeling her the "superintendent for *private* instruction" because of her school-choice philosophy. Also, "the bonding houses are just wigging out. They are unhappy in the extreme," Keegan notes. They'd lose a highly profitable (and some would say corrupting) line of business. Then there are the Republican politicos, who don't want to do anything that might appear to trample on the holy notion of local control. "I've sat down with Steve Forbes about this and Dan Quayle," she says. "I like Steve Forbes very much. His answer to me is the same one. 'We need local control.' So far, I just

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can't move him."

Finally—and this might be the real reason for the politicos' reaction—there are the residents of the rich school districts. Under Keegan's plan to equalize per-pupil spending across the state, spending in the richest districts would go down. Keegan's father recently gave her a chart that she put up on her wall, showing that the 10 richest districts in Arizona are also the 10 most Republican. During one tussle last summer, Keegan lashed out at critics from the Madison District, calling them a "gang of the rich."

Keegan insists that equal per-pupil spending is the morally compelling position. It's the only position consistent with equal opportunity. It's also politically popular. And not coincidentally, it is a necessary component of a school-choice regime. Yet she watches her fellow Republicans invent high-minded reasons to defend the unequal spending patterns that have been struck down in state after state. In truth, it is odd to see Republicans rising to the defense of unequal spending, since a favorite Republican talking point on education is that there is no relationship between spending and student achievement.

Keegan's other great activist and centralizing initiative has been to create a set of rigorous statewide academic standards and tests. Before her tenure, Arizona had some vague standards, on the order of "Students shall appreciate literature." Arizona's new standards earn A and B marks from the Fordham Foundation, the organization that conducts thorough reviews of state education standards. Tests will start in 2001, and students must pass them in order to get diplomas. The tests have sent a wave of anxiety through the Arizona education community. Keegan insists that all students must take the tests in English. Moreover, the proposed exercises are not easy: "Write a narrative or story that develops complex characters, plot structure, point of view and setting; organizes ideas in meaningful sequence; and includes sensory details and concrete language to advance the story line." Keegan also says she won't allow students to use calculators on the math sections.

Keegan is a big believer in standards and tests. "Standards are a nonnegotiable piece on the way to full-out school choice. There's no reason to have a choice of really lousy schools. We all say the market will drive you to excellence, but it will only drive you to excellence if you know what excellence is."

In a piece on Keegan in the April 6 *National Review*, Clint Bolick argued that her strong state standards can be used to head off national standards and tests. But Bolick, who opposes national tests and standards, did not mention that Keegan herself supports them. She points out that right now, state school chiefs, who are political animals, get to create the standards and tests by which their own performance is judged. There has to be a national audit: "The state standards have to be enforced by a national standard," Keegan argues. "Right now, states can make outrageous claims that are unwarranted. It's not just a good idea—it's absolutely essential." At the same time, Keegan, like all conservative education experts, can see how national tests could be captured and abused. A politically fashionable or easy national test would actually undermine state tests if students who were failing at the state level suddenly passed an easy national exam. "National tests have incredible potential. The fear comes in what's going to be on them," she says.

Lisa Graham Keegan and the handful of top education experts who have served in Republican administrations, such as Bill Bennett, Diane Ravitch, Chester Finn, and Bruno Manno, come from different perspectives—from libertarian to neo-liberal. But they arrive at similar positions: charter schools on the way to school choice; rigorous standards backed up by independently formulated national tests. Yet it's striking that this consensus of the experts is politically incorrect in lay Republican circles and among many movement conservatives.

Republicans love to talk about the power of the marketplace, but they don't want to talk about the government activism—which in Arizona involves raising state taxes—that is required to bring about a school-choice regime. Republicans have almost religious affection for local control and a sometimes unthinking reverence for the small-scale institutions of civil society. But they don't have any way to confront the entrenched local associations that are bastions of the status quo.

Some Republicans are so hostile to government they won't contemplate government action even if it is necessary to bust concentrated power and enhance individual freedom. Finally, many Republicans have retained the defeatist mentality of a minority party. They assume that any reform they set in motion will eventually be taken over by their political rivals. In sum, Republicans say they want to change the education system radically, but their mental habits contribute to the stagnation we have seen, especially in Washington, over the last few years.

Lisa Graham Keegan is a rarity among politicos not only because she has retained a sense of humor about herself, but also because she has created a style of conservative activism that actually produces change. Conservatism may have cast up a true hero this time—whether or not it deserves her. ♦

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Classic Works on America's Founding

The Lamp of Experience
Whig History and the Intellectual Origins of the American Revolution

By Trevor Colbourn

". . . a joy to read."
—Lucius F. Ellsworth

In a landmark work, a leading scholar of the eighteenth century examines the ways in which an understanding of the nature of history influenced the thinking of the founding fathers. As Jack P. Greene has observed, "[The Whig] conception saw the past as a continual struggle between liberty and virtue on one hand and arbitrary power and corruption on the other." Many founders found in this intellectual tradition what Josiah Quincy, Jr., called the "true old English liberty," and it was this Whig tradition—this conception of liberty—that the champions of American independence and the crafters of the new republic sought to perpetuate. Colbourn supports his thesis—that "[I]ndependence was in large measure the product of the historical concepts of the men who made it"—by documenting what books were read most widely by the founding generation. He also cites diaries, personal correspondence, newspapers, and legislative records.

Trevor Colbourn is President Emeritus of the University of Central Florida.

310 + xxiii pages. Prefaces, appendices, index.

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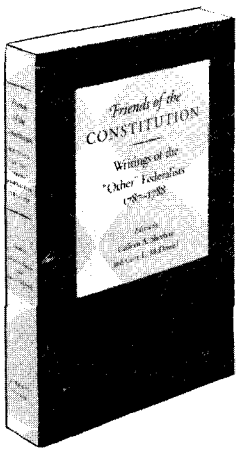
Friends of the Constitution
Writings of the "Other" Federalists, 1787–1788

Edited by Colleen A. Sheehan and Gary L. McDowell



Though *The Federalist Papers* are rightly renowned as a primary exposition of the principles and purposes of the proposed United States Constitution, there were many writers other than John Jay, James Madison, and Alexander Hamilton who in 1787 and 1788 argued for the Constitution's ratification. Indeed, as Herbert J. Storing, Jr. once observed, "[t]hese 'other' Federalist writings carried the main burden of the public defense of the proposed Constitution...[and] several of them were vastly more influential than *The Federalist*." In a collection that is certain to make a major contribution to our understanding of the American Founding, *Friends of the Constitution* brings together forty-nine of the most important of these "other" Federalists' writings. Included are the original texts of pamphlets, speeches, and other proratification writings of George Washington, Benjamin Rush, Nicholas Collin, John Dickinson, James Wilson, Tench Coxe, Benjamin Franklin, Noah Webster, Roger Sherman, Fisher Ames, Peletiah Webster, Samuel Tenny, Stephen Hopkins, Oliver Ellsworth, and David Ramsay. Seperately they address the underlying themes of the historic Federalist/Anti-Federalist debate: "The Necessity of Union," "Energetic but Limited Government," and "Popular Government and Civic Virtue." The text includes Storing's important assessment of these writings, and the volume includes citations to Storing's monumental seven-volume *Complete Anti-Federalist*.

Colleen A. Sheehan is professor of Political Science at Villanova University.
Gary L. McDowell is director of the Institute of United States Studies, University of London.

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As the World Turns

How the West Won

By David Frum

Make a list of the world's twenty richest countries, eliminate the oil sheikdoms, and you'll see a stark fact: Despite twenty years of rapid economic growth on the Pacific Rim, only Japan is not predominantly European in its ethnic composition and at least nominally Christian in its religion. What, if anything, are we to make of this?

Forty years ago, we would have called it "the triumph of the West," and historians like William O'Neill wrote big books about it. Today, historians are still writing big books—but they no longer call it a triumph. The colossal economic success of the white Christian West is to the history-writing profession a deeply shaming fact. The triumph has come to be seen as at best a fluke and at worst a crime—that is, when it is not denied altogether by stories of ancient Egyptians flying gliders about the pyramids.

Three years ago, Oxford University's Felipe Fernandez-Armesto won great acclaim in England for his huge history *Millennium*, which contemptuously dismissed the rise of Europe and America as a four-hundred-year hiccup in the long run of Chinese world dominance.

Just last week, the 1998 Pulitzer Prize for non-fiction was awarded to Jared Diamond's *Guns, Germs, and Steel*, which argues that Europe's success is due merely to the good luck of geography. It's easier for plant and animal species to move east and west, within a climate zone, than north and south, across climate zones. That's why the peoples of Europe and Asia, the widest landmass on earth, enjoyed a greater selection of foods and acquired immunity to a greater variety of diseases than did the peoples of the long American and African continents—which explains how the Europeans were able to conquer the indigenous Africans, Americans, and Australians.

So when David Landes and Thomas Sowell sat down to write their own versions of the rise of the West—versions that put human beings and human choices back at the center of the story—they were not just readying themselves to tell a story, but gathering pebbles to shoot at a towering intellectual Goliath.

David S. Landes
The Wealth and Poverty of Nations
Why Some Are So Rich and Others Are So Poor
Norton, 635 pp., $30

Thomas Sowell
Conquests & Cultures
Military Expansion and the Making of Civilization
Basic, 475 pp., $35

Sowell, a practicing conservative, probably had a pretty good idea of what he was letting himself in for with his new *Conquests & Cultures*. But with *The Wealth and Poverty of Nations*, Landes—a Harvard professor and the author of what is generally regarded as the best history of the Industrial Revolution in Britain, *The Unbound Prometheus*—may well be in for a shock when the history profession lets loose on his book.

The Wealth and Poverty of Nations is a profoundly impressive book. It's crammed with learning, wonderful vignettes, lively writing, and valuable insights. Landes's hostility to religion, and especially to Catholicism, is pronounced, but he can still pay tribute to the Church's contribution to technological innovation in medieval Europe: "The desire to free clerics from time-consuming earthly tasks led to the introduction and diffusion of power machinery and, beginning with the Cistercians, to the hiring of lay brothers . . . to do the dirty work. Employment fostered in turn attention to time and productivity."

This is a book that effortlessly jumps from the monasteries of France to China's loss of technological world leadership. In the first two decades of the fifteenth century, the Chinese outfitted vast fleets and sent them on expeditions to the East Indies and Indian Ocean. Then suddenly the voyages were canceled, exploration abandoned, and China turned inward. Technological advance stopped. By 1500, the military advantage had passed decisively and permanently to Europe. Landes offers a succinct and powerful explanation:

> To begin with, the Chinese lacked range, focus, and above all, curiosity. They went to show themselves, not to see and learn; to bestow their presence, not to stay; to receive obeisance and tribute, not to buy. They were what they were and did not have to change. They had what they had and did not have to take or make. . . . At the same time, desire to overawe meant that costs far exceeded returns. . . . The vulnerability of the program—here today, gone tomorrow—was reinforced by its official character. In Europe, that

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> opportunity of private initiative that characterized even such royal projects as the search for a sea route to the Indies was a source of participatory funding and an assurance of rationality. Nothing like this in China, where the Confucian state abhorred mercantile success.

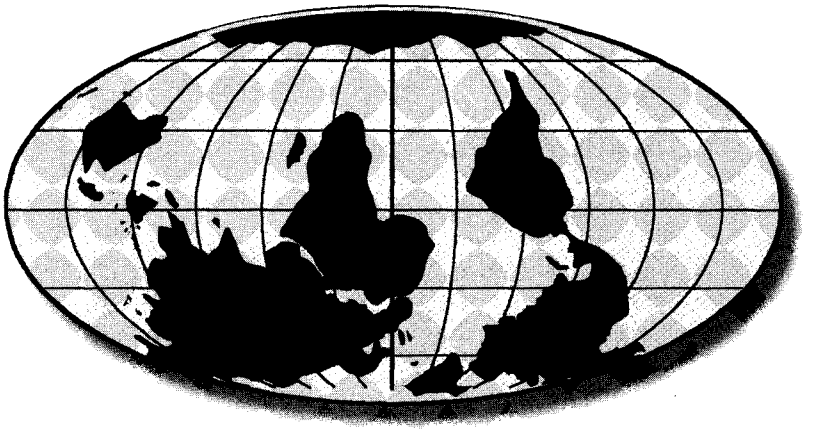
But sad to report, *The Wealth and Poverty of Nations* is not at last a successful book. Landes ultimately fails to deliver what he promised: an explanation of why the West is rich and most of the rest is not. Landes is a historian of technology rather than of law or institutions. Nobody knows more about cotton spinning in eighteenth-century England, but he seems uninterested in the legal institutions and social habits that gave eighteenth-century English cotton spinners confidence that the contracts they signed would be honored, the profits they made would not be confiscated, and the money in which they stored their wealth would hold its value. Without altogether meaning to, Landes ends up telling the story of *how* the West got rich, rather than *why*.

And even his account of *how* is not always convincing. Like many historians of industrialism, Landes is unimpressed by free-market economics. He sees the accumulation of surplus capital and its investment in technology as the route to riches, and consistently avoids discussing incentives and prices. This leaves him puzzled, for example, by the demise of the Soviet Union, which certainly cannot be accused of underinvestment: "Although the Russian state was capable of mobilizing resources for specific projects," he concludes, "technique was generally backward and overall performance shoddy." As for why technique was backward and performance shoddy, Landes has nothing to offer.

Because Landes puts so much emphasis on investment and remains so little concerned with price mechanisms and incentives, he naturally looks sourly on free trade. In his telling, Victorian Britain fell behind because it opened its home market to competition and failed to defend its industrial secrets from foreigners, and a similar fate now threatens America.

So hostile is Landes to free trade that he blames it for the failure of Latin America to industrialize in the nineteenth century—and then never stops to wonder why world-record tariffs did not cause Latin America to boom in the twentieth.

Sowell's *Conquests & Cultures* has few of the anecdotes and witticisms of Landes's book, and reading it is work—but work worth doing. With a courage masked by its seeming coolness, Sowell insists that we stop seeing history as a story of oppressors and victims, recognizing instead that for all the violence, cruelty, and injustice of history, the destinies of peoples lie in their own hands.



While *The Wealth and Poverty of Nations* must ultimately be judged a sprightly collection of essays, some convincing, others not, *Conquests & Cultures* is as precisely targeted as the air force's latest warhead, and nearly as explosive. As in his two previous books on similar subjects, *Race and Culture* (1994) and *Migrations and Cultures* (1996), Sowell attacks head-on

> prevailing doctrines about "celebrating" and preserving cultural differences. Cultures are not museum-pieces. They are the working machinery of everyday life. Unlike objects of aesthetic contemplation, working machinery is judged by how well it works, compared to the alternatives. The judgment that matters is not the judgment of observers and theorists, but the judgment implicit in millions of individual decisions to retain or abandon particular cultural practices, decisions made by those who personally benefit or personally pay the price of inefficiency and obsolescence. That price is not always paid in money but may range from inconvenience to death.

Sowell is not blind to the element of chance in human affairs. He agrees that the economic backwardness of Africa—and thus the enslavement of the Africans—can be attributed in large part to the misfortunes of geography. While Africa is the second-largest continent, it has a coastline shorter than tiny Europe's, and not a single river navigable into the body of the continent. Africa is isolated from the rest of the world, and its jungles and mountain chains divide it from itself—which is why Africa failed to develop strong states. And without states to protect its people, Africa fell prey to slavers.

Something similar happened in Eastern Europe: The world's second-most enslaved population, the Slavs, also lived in a part of the world where geography made formation of states difficult. The British, on the other hand, owed much of their industrial lead to their island's wateriness: "Britain's iron ore and coal deposits

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were located near to one another and both were located near the sea—an enormous advantage over most continental European countries, where even a distance of ten miles between the two minerals was a formidable obstacle."

But while chance has its place, Sowell insists, it explains only so much. What are decisive are the values and institutions groups develop. What determines economic growth is not investment, as Landes believes, but skill sharpened by competition. Sowell observes of czarist Russia: "Lack of capital was not the source of Russian backwardness. Lack of entrepreneurship and technology were the crucial problems. . . . What was lacking in Russia was not capital but the ability to use capital."

The good news is that the ability to use capital can be learned: Human capital can be transferred. The bad news is that sometimes the price for the transfer is an immense cultural catastrophe. That is how Sowell sees the history of Africans in the New World. Deported, enslaved, degraded, the blacks in the New World—and in the United States above all—absorbed the European culture of their enslavers and, in the course of time, prospered and rose toward equality. "Haitian blacks, having been independent of whites for more than two centuries, should be the most prosperous in the hemisphere and American blacks the poorest, if racial oppression accounts for poverty, but in fact their respective economic positions are directly the reverse—again suggesting that human capital has a greater effect than racial discrimination."

That is the sort of thought for which Sowell's critics will never forgive him. But I rather wonder whether it will not be Landes who finds himself in hotter water. For his book is a more direct assault on the favored doctrines of today's historical profession. Perhaps the most disturbing thing to be learned from Landes is how pervasive such beliefs are. One of his footnotes directs you to the Internet motherlode: "H-WORLD" (*http://www.h-net.msu.edu/~world*), an "online initiative" that "facilitates discussion of research and teaching in world history."

I spent an alarming few hours online there, reading one professor after another explain, as one of them put it,

> that Europe was no more highly developed than other civilizations prior to 1492, and had no unique "potential"—intellectual, social, or environmental—for modernization, . . . that the "rise" of Europe over other world civilizations occurred because of the wealth obtained in early colonialism, mainly in the mines and slave plantations of the Americas, . . . that the European conquest and exploitation of the Americas resulted from the fact that Europeans were geographically closer to the Americas than were African and Asian maritime-oriented civilizations, and that the conquest itself was facilitated by the great epidemics of Eastern Hemisphere diseases that decimated the populations and destroyed the civilizations of the "New World."

Even after 1492, another H-WORLD professor writes, Europeans

> had nothing to offer in exchange that anyone in Asia wanted—except the money the Europeans were able to bring from the Americas after 1500. Yet for several centuries even that American money afforded the otherwise poor Europeans no more than a toehold anywhere in Asia and thereby a still

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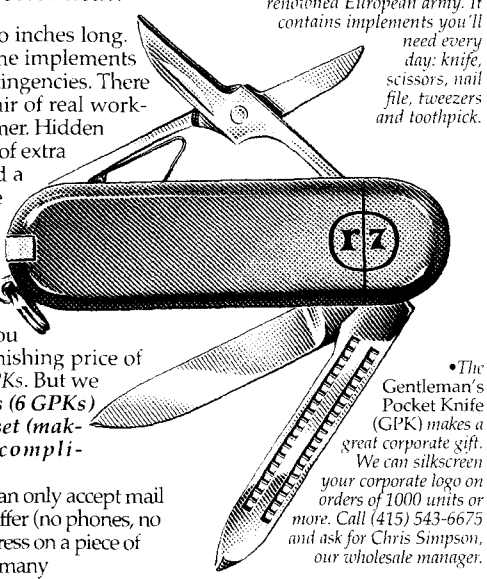

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> only quite marginal participation in universal world history. That continued to be made preponderantly in Asia by Asians—and certainly *not* by Europeans.

H-WORLD is no domain of cranks. It's funded by the National Endowment for the Humanities and maintained by Michigan State University, and the professors who post on it teach at perfectly respectable colleges and universities. But it opens up a strange, alternate universe, in which India would have developed a world-dominant textile industry if not for the beastly British, in which China led the world technologically until 1850, in which medieval Africa was a very considerable industrial power. The only advantage the Europeans had was a superiority in technology for killing and fewer qualms about putting it to use. European hegemony was only a brief episode, and it is now mercifully coming to an end. And to hasten that end along, even the word "Europe" is to be banished from the language, with the old concept of "Eurasia" replaced by the new one of "Afrasia"—since Europe isn't a continent, really, but a peninsula: like India, only nastier.

This kind of thinking irritates both Landes and Sowell. "In a world of relativistic values and moral equality," Landes fumes,

> the very idea of a West-centered (Eurocentric) global history is denounced as arrogant and oppressive. It is intended, we are told, "to justify Western domination over the East by pointing to European superiority." What we should have instead is a multicultural, globalist, egalitarian history that tells something (preferably something good) about everybody. The European contribution—no more or less than the invention and definition of modernity—should be seen as accidental or, to use the modish word, contingent.

"In our own times," Sowell writes,

> cultural relativism has rewritten history. . . . The concept of discovery has become taboo, unless it is a "reciprocity of discovery" or the even more neutral word "contact" between the two worlds. Yet, plainly, Columbus discovered America in a sense in which the Indians did not discover Europe—and it was an enormous event in the history of the human race, for good or ill. Quibbles about the fact that some other European explorers touched the hemisphere earlier, or that the Indians knew it was here all along, trivialize this turning point in the history of the world.

In calling the school of history they are attacking "relativist," however, Landes and Sowell may be missing the point. There is really very little relativistic about it. You never hear anyone say, "From our point of view it was wrong for Ferdinand and Isabella to expel the Jews from Spain, but you have to see it from the Spanish point of view," or "We might think it wrong to sell opium to the Chinese, but British India did need the money." Real relativism is intended to excuse; the new world history is intended to blame. Relativism takes no point of view; the new world history has a very specific point of view: the evil of Europe and its inferiority to everything else. This is not a commitment to "moral equality," as Landes claims, but a twisted form of ethnic chauvinism.

THE NEW WORLD HISTORY HAS A VERY SPECIFIC POINT OF VIEW: THE EVIL OF EUROPE & AMERICA.

It is very strange to tap into a website (made possible only by American technology) to read postings—in English by professors at Western universities paid for by European techniques of industrialism—denouncing America, Britain, and the European West. But then again, why not? Human beings are creatures who hunger to belong to something larger than themselves: a community, a tribe, a nation. A history professor in the United States today would never confess himself an American nationalist, but there remains in him a premodern element that wants to be a nationalist for something. The history attacked by Landes and Sowell gives him that something—something to hate (Europe and European America) and something to love (China, India, pre-Columbian America, Africa). It gives him heroes to glorify and villains to abuse. And it connects seamlessly his view of the past with his view of the present—for it is not a coincidence that this new nationalism in history has arisen at exactly the same moment that America's identity as a European civilization has come into question.

There are happily few signs that the preoccupations of American academia are spreading beyond the borders of this country. The subtitle of Landes's *The Wealth and Poverty of Nations* is *Why Some Are So Rich and Others Are So Poor*, and for Singapore, Ghana, Taiwan, Korea, Chile, and other fast-developing countries, the answer is as obvious as it used to be to America: free trade at home and abroad, low taxes, the honoring of work, stable currency, honest government, good schools. It does not require much more than that.

The danger is that a crippling and unfounded self-hatred is being inflicted on millions of high-school and university students. This sort of thing has real-world consequences. If it is true, as Sowell argues, that America owes its freedom and prosperity to its European cultural inheritance, then what, we have to wonder, will America look like if it teaches its young people to feel ashamed of that inheritance? Landes's Ming Chinese shut themselves off from the world out of overweening arrogance; an equally unthinking self-abasement can be every bit as destructive. It is to that unthinking self-abasement that we seem to be heading. And these two remarkable books by Landes and Sowell are powerful brakes upon that self-destructive course. ♦

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Cedric, Call Home

The Cost of Escaping the Ghetto

By John J. Dilulio Jr.

The tale of Cedric Lavar Jennings, now finishing his junior year at Brown University by way of the District of Columbia's poorest and most crime-torn neighborhood, is no simple ghetto-to-glory story. Neither is it the predictable paean to the noble adults—mothers, teachers, cops, coaches, and clergy—who protect inner-city boys from their predatory peers, administer daily doses of tough love, and inspire them to succeed through faith in the promise of Heaven or Harvard.

Ron Suskind
A Hope in the Unseen
An American Odyssey from the Inner City to the Ivy League
Broadway, 384 pp., $25

Rather, as told in *A Hope in the Unseen*—originally reporter Ron Suskind's Pulitzer prize-winning series of articles in the *Wall Street Journal*, now expanded into a book—Cedric's is a cautionary tale. In part, it's about how a mix of mothers, mentors, ministers, and affirmative-action policies can in fact liberate an inner-city child from poverty, street violence, drug addiction, educational failure, welfare dependency, joblessness, and jail.

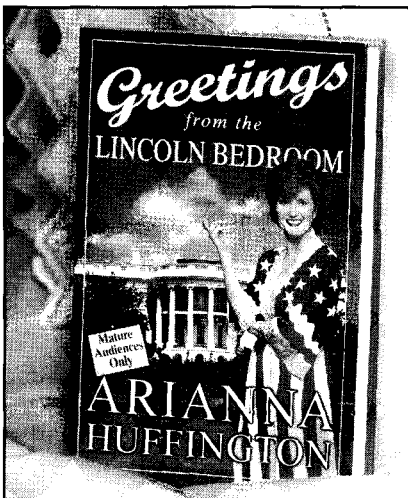
But in part, too, it's about how that has not happened without alienating him from family and friends. It's about how he has been made to feel embarrassed by his religious roots. It's about having him pretend, for the politically correct multiculturalists, that he—the choir-singing loner-nerd who was every second-rate thug's favorite prey—now possesses "racial authenticity," "an arbiter of the fashions, tastes, and habits of inner-city life." And it's about the failure to equip and encourage Cedric Lavar Jennings to feel morally obliged to help the many others who remain in the blighted urban places he used to call home.

The boy's mother, Barbara, graduated from malt liquor, blond wigs, multiple abortions, and out-of-wedlock births to a low-paying government job, a black Pentecostal church, and a total commitment to her son's future. "In desperation," Suskind writes, "Barbara tried to keep a tight grip on just the basics: strong physical discipline and tight scheduling. She made sure her son was either in school, the locked apartment, or at church—visiting Scripture Cathedral four times a week."

The boy's father, Cedric Sr., had some education and several opportunities for legitimate jobs. But he committed robbery, sold hard drugs, went to prison, violated parole, and ended up back behind bars. While on the streets he fathered several children (including one of Cedric Jr.'s cousins). When he learned that Barbara was pregnant with Cedric, he insisted that she have yet another abortion, and when she refused, he left her.

Once, during a visit to his father's apartment, the child stole some coins, and at the next visit, the boy "walked into an ambush." His absentee father gave his unaborted namesake a ferocious whipping that ended only when a live-in girlfriend grabbed his arm and screamed for him to stop.

Contributing editor John J. DiIulio Jr. is a senior fellow at the Manhattan Institute.



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CROWN

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Years later, Cedric spoke to his father in jail. The man cursed and demanded that the boy show more "respect" for his elders. The teenager responded "Don't tell me about disrespect," about "what to do or not to do, like you've been around for me." Enraged, Cedric Sr. yelled, "I'm still your father. . . . I'll blow your f—ing brains out!"

Later, in his cell, Cedric Sr. reflected on how different he was from Cedric Jr., a boy "all nerdy and faggy, a 'straight-A' momma's boy who gets no respect from any of the kids at school, least of all the tough kids." And Barbara continued to call her son not after his father but by his second name, Lavar.

But there is no denying the coarse truth in what the father thought about his son's lack of street smarts and standing. In high school Cedric avoided receiving a hard-earned $180 award for academic excellence, in fear that (as had happened once before) a local thug would demand it at gunpoint. His biggest fights were tiffs with teachers over grades and with the girls who were his only academic competition, cheated off his homework, or led others in taunting him: "Nerd!" "Geek!" "Whitey!"

The prideful Cedric persevered, refusing to succumb to what Suskind, borrowing a term coined by urban educators, describes as the "crab-bucket syndrome": "When one crab tries to climb from the bucket, the others pull it back down."

Through his mother, math, and an obsession with MIT, Cedric saw his first chance to crawl up and out. During his junior year, he applied to a summer program at MIT for minority students. "This is it. My life is about to change," he said, clutching the acceptance letter against his chest. He and his mother and their minister had prayed for this day. With or without prayers, however, 82 percent of kids who applied to the program were accepted, and no matter how hard Cedric worked, he simply couldn't cut it in advanced math.

Cedric returned home, "comfortable in this place I hate." But he was not crushed or defeated. The Bible, he knew, promised rewards to "him who endureth." And Clarence Taylor, the scripture-quoting chemistry teacher who had worked so hard to convert the smart but sullen freshman into the high school's most accomplished senior, had Cedric memorize Hebrews 11:1: "Faith is the substance of things hoped for, the evidence of things unseen."

Cedric had never seen the Ivy League Brown University in Providence, Rhode Island. And though its

catalog promised a curriculum "uniquely loose and fluid," encouraging students to take classes pass-fail and proceed at their own speed, it had an average SAT score of 1290, while Cedric's best was 960: 590 in math and 380 in verbal (up from a low of 330).

Still, he was admitted, and in the summer before going, he got a $7-an-hour internship through a national program that assists promising black kids—the kind of job that lots of older, uneducated, unemployed men in his neighborhood desperately wanted. But then they weren't going to an Ivy League school like Brown.

Supreme Court Justice Clarence Thomas had read Suskind's *Wall Street Journal* articles on Cedric and invited him to lunch. Hearing that Cedric was bound for Brown, Thomas warned him that "one thing you'll find when you get to a school like Brown is a lot of classes and orientation on race relations. Try to avoid them."

Sound advice, but the justice might as well have counseled the boy to avoid the law of gravity. At Brown, Cedric, one of the school's 6.5 percent full-time black undergraduates, was quickly encircled by 160 student-led groups. The black students had their own dorm, Harambe House. Another big campus presence was "the LGBTQA, or the Lesbian, Gay, Bisexual, Transgender, Questioning Alliance."

Cedric got his first official dose of campus pluralism at the required "diversity workshop," run by a rabbi and a Hispanic "student facilitator" who explained the first official exercise: "cultural pursuit." When the assembled freshmen failed to name one-word "identities," the Rabbi offered "HIV-positive." Catching the spirit, one student mentioned "anorexia," and another urged the group to "stretch for something distinctive" like "being a minority . . . being some sort of victim."

At first, Cedric didn't "stretch"—thinking to himself that he was probably the only "true victim of circumstances in the room," and that being a victim was "the last thing he'd want to celebrate." But over time, the world of Brown University made it impossible for him to keep intact the views he had learned at Scripture Cathedral, even on such subjects as pornographic gay films. And he compromised his intellectual ambitions by taking an entire semester of pass-fail courses.

Far worse, he learned to feel embarrassed when his churchgoing mother visited his new world, "looking right through her" and failing to give her the customary hug goodbye. When his high-school teacher surprised him with a visit and gave the young man in whom he had invested so much a Bible-study magazine,

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Cedric "looked at it blankly" but promised to read it. The teacher drove off, parting tenderly with a "Well, God bless." But his great hope merely threw the magazine away and headed off to a party at Harambe House.

A Hope in the Unseen hints of a titanic struggle going on within black America. By any material measure, at least two-thirds of blacks have now made it. Three-quarters in urban areas live in neighborhoods where most residents have crossed the poverty line into prosperity. Many old, inner-city black churches have become "commuter churches" whose congregants come and go on Sundays with little connection to the poor who now inhabit the neighborhoods from which they or their parents came.

And yet, nowadays as well, more and more young black professionals and a new generation of ministers are calling the black bourgeoisie and elite to account on everything from charitable giving to volunteer service, from the morality of abortion to the economy of suburbanization. Increasingly, inner-city black kids are denouncing sports stars and rappers who appeal to white teenagers (the main consumers of rap music by black artists) as sellouts.

Over the next decade, the battle to save inner-city youth will be fought mainly as a mission of public and private triage involving community leaders, neighborhood churches, and adequate support from government at all levels. How many will be saved depends upon how many paramedics of the civil society—philanthropy chiefs, media elites, government officials, corporate executives—bolster the effort, both financially and politically.

Suskind records Cedric's worries about ending up as yet another "middle class wannabe . . . trying to keep up with doctors' kids from good high schools who also happen to be black." In the book's epilogue, Suskind notes that, despite all the changes, Cedric and his mother still talk regularly, spend holidays together, and "enjoy each other's company by ignoring long-standing issues of obligation and sacrifice." But maybe those issues are exactly the ones that he shouldn't avoid.

Cedric, call home. ♦

TREASON OF A CLERK

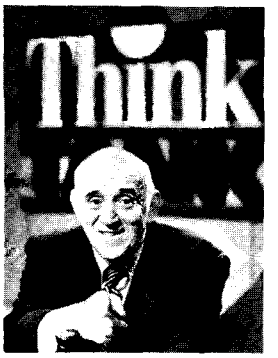
On the Vast, Right-Wing Conspiracy at the Supreme Court

By Jay Lefkowitz

Like that more famous graduate of Yale Law School, Hillary Clinton, Edward Lazarus believes in a vast right-wing conspiracy, except that his conspiracy lives inside the Supreme Court. In *Closed Chambers*, Lazarus spins a tale of how in the late 1980s the court was taken over by a cabal of right-wing law clerks.

Because of the veil of secrecy that covers the Supreme Court, and because most clerks have honored the Code of Conduct and kept the confidences of the court, Lazarus—a former clerk to now-retired Justice Harry Blackmun—has already provoked controversy with his book. To its credit, however, *Closed Chambers*

Jay Lefkowitz is an attorney in Washington, D.C.



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provides fresh insights into both the workings of the court and the relations among its members.

But the book is not primarily a behind-the-scenes tell-all, with titillating accounts of the justices in their unguarded moments. Rather, Lazarus has written a brief. And his argument is that "cabalist" clerks in the chambers of the conservative justices engaged in a mission to capture the vital center of the Supreme Court.

Lazarus devotes much of *Closed Chambers* to stories of the pitched battles between liberal and conservative clerks. He recounts the regular dinners held by the conservatives, their private e-mail network, and their back-channel negotiations. Of course, this was in all likelihood just as common among liberal clerks, and in fact, Lazarus's story proves in the end to be a tale less of right-wing scheming than of left-wing incompetence.

Like many of his generation, Lazarus has as one of his most powerful political memories the waning days of the Nixon White House, when a Nixon-appointed chief justice led a unanimous court in rejecting the president's claims of executive privilege—essentially dooming the Nixon presidency (he resigned seventeen days later). This show of force and integrity by a court, in which three of the votes cast against the president came from justices he appointed, instilled in Lazarus "an essentially idealized image of the Supreme Court."

Another defining political moment for Lazarus and his fellow law clerks was the hearings to confirm Robert Bork's nomination to the Supreme Court in the summer of 1987. Just as the trial of Julius and Ethel Rosenberg and the clash between Alger Hiss and Whittaker Chambers dominated the political imagination of an earlier generation, the Bork hearings provided a forum for one of the most ideologically polarizing debates of the Reagan era—the fight over the direction of the Supreme Court and, in particular, the question of abortion.

By the summer of 1987, despite Reagan's landslide reelection over Walter Mondale, the conservative revolution had stalled. One of the chief roadblocks was the Supreme Court. For most of the preceding thirty years, the court had given the liberals nearly all of their most vaunted reforms, particularly in criminal rights, reverse discrimination, and privacy rights. Although by the time Bork was nominated to the court, most of the leading figures of this "rights revolution"—Chief Justice Earl Warren and Associate Justices William Douglas, Arthur Goldberg, and Abe Fortas—had long since retired, the balance of power on the court was still very much up for grabs.

Edward Lazarus
Closed Chambers
The Justices, Clerks, and Political Agendas That Control the Supreme Court
Times Books, 528 pp., $27.50

Supreme Court decisions often endure, even after a majority of the court considers them to be outdated or even wrong. The judicial principle behind this inertia is called *stare decisis*, and one of its virtues is that it is supposed to keep the court from creating undue uncertainty among the lower courts. Of course, this institutional inertia also means that the Supreme Court is often a generation behind the political currents of the day.

With the 1987 retirement of Lewis Powell, a moderate justice who was enormously influential because he was often the decisive vote in 5-4 decisions, conservatives finally had an opportunity to reshape the court. Bork was a prominent judge on the D.C. Circuit Court of Appeals and a leading proponent of a theory of judicial interpretation known as originalism. Unlike liberal judges who saw the Constitution as a malleable, "living" document, always able to grow to encompass the latest unenumerated individual or group right, Bork had become a conservative hero by construing the Constitution according to its plain language and the intentions of its drafters. Conservatives believed that with Bork on the court, they could turn back many of the excesses of the previous generation of justices.

Liberals feared that Bork's confirmation would mean the demise of affirmative action, sharp limitations on petitions from death-row inmates, and, most important, the end of the court-created right to abortion. Leading the fight against Judge Bork was Senator Edward Kennedy, who brazenly proclaimed that in "Robert Bork's America, women would be forced into back-alley abortions, blacks would sit at segregated lunch counters, rogue police could break down citizens' doors in midnight raids, school children could not be taught about evolution," and so on. After Bork was interrogated by Senator Joseph Biden's judiciary committee for more than thirty hours, the full Senate rejected his nomination.

Edward Lazarus recalls that in the summer of 1987, as he was about to start a clerkship with Judge William Norris (whom he describes as "a leading liberal") on the Ninth Circuit Court of Appeals, he "rejoiced" when he learned of Bork's defeat. Indeed, he admits that along with his fellow clerks, he "had spent more than a few off-hours thinking up and funneling to friends on the Senate committee staff questions that would expose the weaknesses and contradictions of Bork's positions." At the same time, the demise of Bork's nomination was an especially bitter pill for many of Lazarus's conservative, law-school peers, some of whom were also beginning their careers as appellate-court clerks.

The following October, as the 1988-89 term commenced, Lazarus found himself at a Supreme Court

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that was only one step removed from the Bork storm. By then, the Powell vacancy had been filled by Anthony Kennedy, a conservative judge from California. All eyes were fixed on Kennedy, because as Powell's replacement, he was a potential swing vote. Moreover, 1988-89 was shaping up to be a very significant term for the court, including not only reconsiderations of two important precedents, *Roe* v. *Wade* (the landmark case that found a constitutional right to abortion) and *Runyon* v. *McCrary* (a case that held that the 1866 Civil Rights Act outlawed private acts of racial discrimination), but also cases involving the death penalty, freedom of speech, separation of powers, religious freedom, and states' rights.

In the highly charged atmosphere of the Supreme Court—regularly punctuated by high-stakes battles among the law clerks as they lobbied their respective justices either to grant or deny last-minute stays of execution—the clerks often found themselves acting out the legal debate they had witnessed only a year earlier during the Bork hearings. Thus, it was especially painful for Lazarus and his fellow liberals—many of whom had been volunteers in the anti-Bork army—to see the Left lose a number of important cases during the year in which they clerked at the court.

For example, the court held in *Richmond* v. *Croson* by a vote of 6-3 that a city ordinance designed to funnel a specified percentage of building contracts to minority bidders violated the clause of the Constitution guaranteeing "equal protection under the laws." Likewise, in two other important civil-rights cases, *Wards Cove Packing Co.* v. *Antonio* and *Martin* v. *Wilks*, liberals failed to persuade a majority of the justices. But the key factor in all these civil-rights cases—and indeed in all the cases the liberals lost that term—is that the four conservative justices (Chief Justice Rehnquist and Associate Justices Scalia, O'Connor, and Kennedy) were joined by at least one other member of the court.

Lazarus still feels the pain of these decisions, and he argues that "cabal-

Kevin Chadwick

ist" clerks (who worked principally for the conservatives) were able to turn the court by winning the "swing" vote of the newly-appointed Justice Kennedy. Lazarus's argument, however, doesn't hold up. In 1988, even without winning Kennedy's vote, the liberals on the court had a guaranteed majority in every case as long as there were no defections. Today, with the addition of Justice Thomas, a conservative victory can sometimes be assured by the support of O'Connor and Kennedy. But in 1988, the cabal could never win without the support of at least one non-conservative justice.

It was Justice White—a Democratic appointee from the 1960s—who was in every single important case the fifth vote that Rehnquist, Scalia, O'Connor, and Kennedy needed to make up a majority. Yet White has never been described as "clerk-driven," and Lazarus does not even try to argue that this justice was somehow a pawn in the cabal's stratagem. Lazarus would like to blame the right-wing clerks for the liberal defeats in 1988, but what really happened is that the liberal justices simply tried to push the law too far—not only for the conservative members of the court, but even for centrists like Justice White.

In fact, the case during the 1988-89 term that Lazarus views as the clearest example of a right-wing, clerk-driven outcome, *Patterson* v. *McLean Credit Union*, actually proves the weakness of his argument. What made *Patterson* such an important case was that it was one of the first cases addressing civil rights to be considered by the newly confirmed Kennedy (it raised the possibility of overruling *Runyon)*, and his vote in *Patterson* was expected by court-watchers to give an important indication of where he stood.

Lazarus makes much of the fact that Kennedy apparently switched his vote while the court was considering the case—ultimately writing the majority opinion for Rehnquist, Scalia, O'Connor, and White. But the undeniable fact is that the liberals, led by Justice Brennan, could not even hold on to Justice White in *Patterson*. Brennan's draft opinion, even after he moderated it to accommo-

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date some of Kennedy's initial comments, sought to turn *Patterson* into a far-reaching civil-rights decision, effectively holding that all on-the-job racial discrimination violated the 1866 Act. Brennan's position was particularly untenable because the plain language of the Act was specifically limited to banning discrimination in the "making" and "enforcement" of contracts. Moreover, Brennan's interpretation would have effectively rendered one of Congress's landmark pieces of legislation, Title VII, superfluous—something Congress obviously did not intend.

In short, it was precisely the kind of overreaching argument that one might expect from the twenty-five-year-old, liberal clerks who worked in Brennan's chambers. Although Lazarus claims that Kennedy was hijacked in that case by one of his conservative clerks, Lazarus contradicts himself by noting that Kennedy's opinion in *Patterson* did not end up reflecting that particular clerk's views—which means that the opinion can only have derived from Kennedy's own balanced view. The inescapable fact in *Patterson* is that the liberals would have won had Justice Brennan simply written an opinion that White—JFK's deputy attorney general—could have stomached.

In the end, the conservative victory in *Patterson* was hardly what conservatives had hoped for in that the court did not overrule *Runyon*. Once all the maneuvering by the justices and their clerks was done, *Patterson* left the law exactly where it started—limited to banning discrimination in the making and enforcement of contracts. Moreover, it's not surprising that sometimes clerks have a role in shaping an opinion; after all, the justices don't have a lot of people with whom they can discuss pending cases. Rather than exemplifying a "right-wing conspiracy" on the court, *Patterson* is a better example of how the liberals failed through their own attempt to overreach.

It is not even the case that Lazarus's time at the court consisted entirely of triumphs for the conservatives. *Webster* v. *Reproductive Health Services*—which Lazarus himself describes as "the most dominating case of October Term 1988"—was hardly a clean conservative victory. When the court agreed to hear the case, conservatives (led by the Reagan Justice Department) urged the court to use it to overturn *Roe* v. *Wade*. In the end, *Webster* proved a disappointment to all—the court neither reversing *Roe* nor rejecting Missouri's limited restrictions on abortion. Regarding Lazarus's theory, however, what is important about *Webster* is that on the most political issue of all, abortion, the ostensible "cabal" could not convince either Kennedy or O'Connor to overrule *Roe*.

Ultimately, Lazarus has written a political, rather than a legal, brief. And as long as one recognizes Lazarus's own predilections and the failures he is trying to justify, *Closed Chambers* is an enjoyable and informative book. The description of the role of Supreme Court clerks is unprecedented and illuminating. Overall, the picture he paints of the Supreme Court is one of a political institution—though at times more obsessed with its own politics than with national politics.

If such a portrait of what is sometimes called the least political branch of government is understandably disappointing, it is not surprising. At least once in each of the last two decades, a Supreme Court confirmation battle has turned into a political donnybrook that rivals a celebrity criminal trial or a political convention with its press feeding frenzies and talk-radio commentaries. The irony in Lazarus's *Closed Chambers* is that the real legacy of the campaign to defeat Robert Bork—a campaign in which Lazarus participated—is exactly the deepened politicization of the Supreme Court that Lazarus has written his book to decry. ♦

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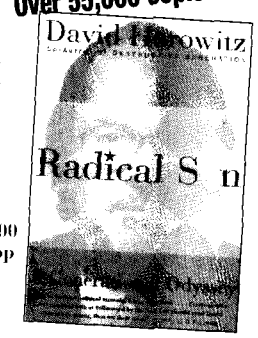

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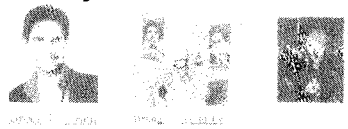

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A Genre Reborn

Anthony Burgess and the Novel in Verse

By Malcolm Bradbury

The late Anthony Burgess was not just a quite marvelously inventive but a prodigiously productive author. Shocked, went the story, into an acceleration of writing when he was mistakenly diagnosed with an inoperable brain tumor in 1959, he produced five (some versions said seven) novels in that supposedly terminal year. Once the mortal threat had been removed, he continued to produce on the major scale, as if the terminus were always close (he lived to seventy-six).

Anthony Burgess
Byrne
A Novel
Carroll and Graf, 160 pp., $20

Ends and termini had everything to do with his writing. His major autobiographical surrogate was the rogue-hero F. X. Enderby, who ends up in *Enderby's End*. One of his grandest and most epic books was, titanically, called *The End of the World News*, a title well worth republishing now the millennium is truly coming to its end.

Over the years, the rolling postwar decades, Burgess produced well over sixty works, of almost every conceivable kind: from fiction to poetry, epic to fantasy, memoirs to criticism, screenplays (innumerable) to stageplays, operas to abstract musical compositions.

He wrote under pseudonyms (Enderby, Joseph Kell, John Wilson, etc.), once, notoriously, reviewing himself in another guise. His writing name was itself a pseudonym; his real name, as his various memoirs remind us, was John Anthony Burgess Wilson, the renegade Catholic boy and would-be composer from a poor section of Manchester.

His reviewing record alone was prodigious: an estimated 150,000 words a year. His hugely knowledgeable and cosmopolitan criticism—some of it, of Joyce for instance (*Joysprick*), of the very highest quality—fed his creative writing. There were novels about Shakespeare, Marlowe, Keats, Beethoven, screenplays on Shelley, Cyrano, Byron. There were the grandly epic tales—like *Earthly Powers*—where fictional figures cross over with many of the great (or demonic) figures of this or some other century. There was a "musical novel," *Napoleon Symphony*, the Napoleon story played off against the Eroica; and a variety of other playful forms that reflected his interest not just in the great history of literatures but in language and linguistics—novels are cryptically called *MF* and *ABBA ABBA*.

As the years passed, and the books and other productions came in profusion, Burgess increasingly came to believe that his remorseless prodigality made him suspect with the British literary establishment. In fact, it admired him greatly, but never granted him a critical reputation that matched his own exiled sense of himself (he lived mostly abroad)—or the sense of admirers like myself. For Burgess was a fine trouper-performer; but he was also a writer's writer. You felt he could always turn the next trick, invent the newest artistic tactic, come up with a plot in seconds, do anything. He was a polymath, a wildly avaricious reader, a true book-lover (one of his greatest disasters was the loss of part of his library, vindictively confiscated on Malta by that island's ruler, Dom Mintoff).

He adored parody and pastiche. He was a master of all the forms, an experimenter with the genres—and the borders of the genres. Like some British-Catholic Harold Bloom, he believed in the grand canon, the great treasure-house of stories, as one of the greatest gifts of humanity, a grand display of the artistic encounter with life's contradictions, as well as of innumerable ways in which tales can be recited, written, staged, danced, musicalized. It was a treasure-house, moral and aesthetic, to be revered, rerecorded, and plundered. The passion for telling and retelling, adapting and re-creating, deconstructing and reconstructing, was the driving force of his productive life.

It was not surprising that, when he died in 1993, he left behind not just a large canon of his own, but a complete new work, *Byrne*, a novel in verse now published posthumously (and one suspects there will be a good deal more before we are done). The few years following the death of an important author are often fallow ones; the living public presence is now absent, and the historical valuation has not yet come into play. I believe that valuation, for Burgess, will eventually be a high one. He wrote his way from the end-of-empire social comedies that invigorated British fiction in the 1950s to the most sweeping world themes.

The early novels about his Malayan experiences are still a pleasure, fulfillments of his typical theme: "comic novels about man's tragic lot," as he said. But his truly memorable works came later—when the great vats of storytelling were full, when his scale was epic and filmic. *A Clockwork Orange* (1962) is already a classic. But it's *Earthly Powers* (1980) and *The End of the World News* (1982) that are likely to represent his imagi-

Malcolm Bradbury is a widely published British novelist and scholar

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nation—historical, fictive, moral, and metaphysical—at its fullest.

What, then, of *Byrne*? Well, it's another late work of substantial ambition, both in its narrative plot and its technique. It's a strange black comedy dealing, wittily, wisely, and sometimes quite obscurely, with the chaos of the twentieth century in its two large stages: the era of Modernism and totalitarianism; and the postmodern era of irreligion, sexual randomness, gender revolution, triviality, racial admixture, terrorism, and multiculturalism. "Blasted Byrne" is a familiar Burgess type: an early twentieth-century Anglo-Irish artist and bigamist, a failed musician, and a wandering libertine. Always in sexual trouble, he grows up in Liverpool, writes music for the nascent film industry in London, runs off with a diva, lives in Nazi Germany, works with Goebbels, and allies his art to the Reich's wartime cause, before disappearing obscurely abroad and into the postwar world, leaving various artistic and progenitive traces.

Meantime, in the contemporary world, his resentful twin progeny, Tim and Tom, live out very different, opposite lives. One is held into celibacy as a would-be Catholic priest, the other suffers from testicular cancer; both are childless. Around them, too, Burgess erects various extremities that aptly parody our own current history. A musical in the modern Lloyd Webber manner is made of Wells's *The Time Machine*. A religious film company commissions a movie on the life of Calvin (but without executions). A conference in Venice on European languages is devoted to a conflict between the French and the Anglophones, each disputing who has inherited Latin. A Strasbourg conference on Euro-culture is attacked by Muslim terrorists who belatedly have issued a fatwa on Dante. The frank libertinism of Byrne's life is transformed into feminist post-coitalism.

The tale has all Burgess's prime themes: religion, sexuality, art, and the oppressive and often evil presence of history, in conflict with morality. It displays his well-known sense of cultural collapse, of random evil, and of metaphysical tragedy. It ends with a hint of lost dreams of art, a portrait of a dark and damaged world, a heart of darkness, and a final and metrical benediction:

Tim embraced Tom, embarking for Heathrow,
Smiling, Christmas-elated, somewhat sad too,
Blessing the filthy world. Someone had to.

Thus the rhyming and the story end. For, improbably, given the range of the material it covers, *Byrne* is another typical Burgess literary adventure, a crossover text: This is a novel told entirely in verse.

The verse-novel is a genre unusual now, but once perfectly familiar, taking us back to Homer. It predates the novel in prose, and is the real source of it. Today, though, we expect our novels to make themselves easily knowable through the common and public language of prose; meanwhile, poetry has privatized itself and forgone most of its ancient storytelling impulse in the interests of subjectivity, lyricism, and complex linguistic exploration. But Burgess's experiment is typical of his sense of radical literary homage; he manages to remind us that the verse-novel is a form crucial to the history of storytelling, and entirely deserving of a contemporary re-creation.

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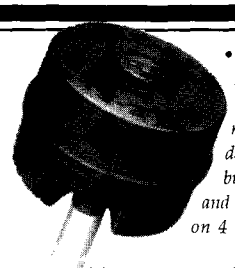

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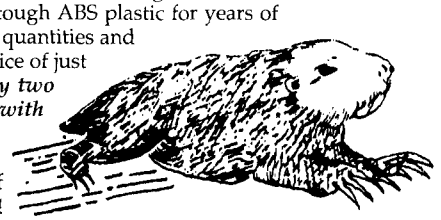

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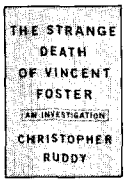

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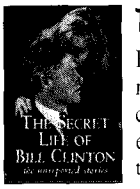

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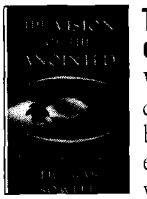

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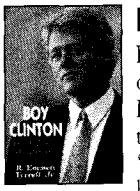

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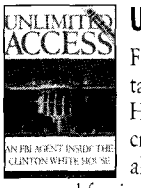

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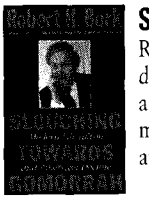

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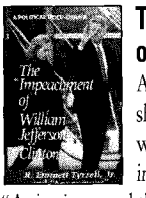

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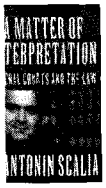

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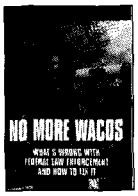

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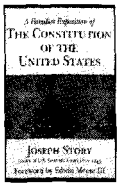

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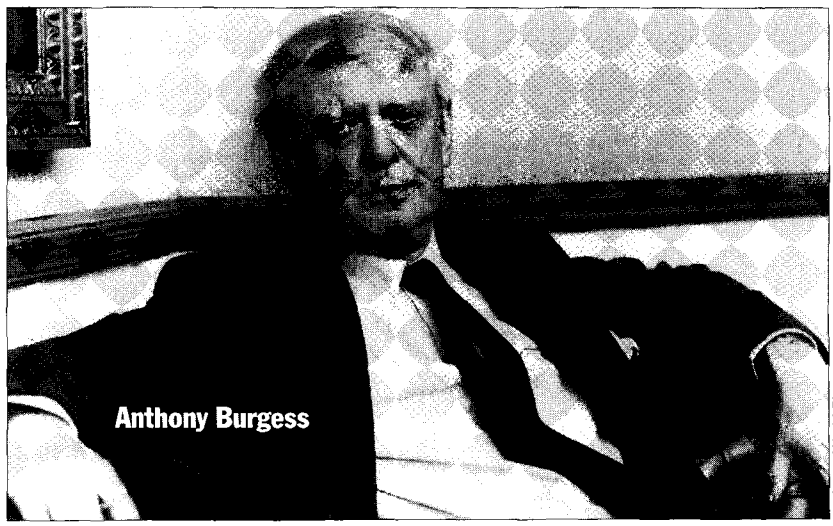
Burgess turned to poetry often, producing major verse translations of *Oedipus* and *Cyrano de Bergerac* for stage and screen, and giving his Enderby a poetic oeuvre. Byrne himself is a familiar kind of Burgess hero, the rogue-artist who spans the modern century—but it is clearly no accident that his name is a near-anagram of the great Romantic poet Byron. For he is also

a kind of living myth
And hence deserving of ottava rima,
The scheme that Ariosto juggled with,
Apt for a lecherous defective dreamer.
He'd have preferred a stronger-muscled smith,
Anvilling rhymes amid poetic steam, a
Sort of Lord Byron. Byron was long dead.
This poetaster has to do instead.


Anthony Burgess

AP/Wide World Photos

The poetaster here—Burgess, of course, though again he hides behind a second identity, suggesting that he is yet another of Byrne's many bastards—is thus ironically making a double claim. He has a modern literary-historical tale to tell. He is also laying claim to a form deserving of it, one that recuperates the methods of verse-storytelling. Not just verse, though, but the pervasive ottava rima, the jingle-jangling form of Ariosto's *Orlando Furioso* and later of Byron's *Don Juan*, which became one of the most successful and influential verse-novels of the Romantic age.

Ottava rima—as Burgess knew so well—has a very interesting history. It was much used by the medieval Italian poets: Boccaccio and Tasso as well as Ariosto. Then Wyatt and Spenser took it up, and Spenser anglicized it and turned it to a higher purpose, creating from it the "Spenserian stanza" he used for *The Faerie Queene*. (Burgess himself suitably turns to the Spenserian form for the soberest of the five "books" into which he has divided his own narrative.)

Byron explored both variants, employing the Spenserian stanza for *Childe Harold's Pilgrimage*, but reverting to ottava rima for *Don Juan* (1819-24). *Don Juan* was never finished; but even unfinished, Goethe called it "a work of boundless genius," and so it was considered in its day. Apart from taking the great and familiar myth of the libertine hero who is dragged off to hell (a story Burgess plainly echoes here), Byron's *Don Juan* proved ottava rima to be a form of working narrative verse open to a wide range of possibilities. He showed it as a loose, easy form, as flexible as prose, but demanding both constraint and constant rhythmic and creative ingenuity.

Don Juan opened up many of the possible voices of poetry; it could be lyric or jangling, epic or vernacular, heroic or mock-heroic and ironic. It could touch emotion and falsehood, transpose conversational dialogue, manage grand gesture and intimate feeling. It could freely display not just the hero but the poet, in all his virtuosity, irony, wit, and world-weariness. *Don Juan* was a key text in this history, marking the verse-novel's revival in the European canon, and it quickly had powerful effect. Pushkin started *Eugene Onegin* under Byron's influence; and that work, with its own easy stanzaics and rich sentiment, remains one of the great narratives of the nineteenth century, especially, as Nabokov insisted, if the non-Russian can read it in a great verse-translation (I recommend James E. Falen's).

The success of such works challenged many of the Victorian poets, especially the two Brownings, to recuperate the verse-narrative as an important form. It was Elizabeth Barrett Browning who, in *Aurora Leigh*, attempted the task of telling an extended novel of suffering modern womanhood in verse. Mostly forgotten during this century as an odd curiosity, it has been revived by feminist critics and rightly put in the middle of Victorian literature, making the idea of the verse-novel interesting to us again.

Nonetheless, the problems that verse had in coping with the change in the nature of modern narrative—marked both by the great Modernist revolution of the prose novel and by the parallel revolution of verse forms—have made the verse-novel singularly hard to revive in our twentieth-century and postmodern times.

Even so, attempts have continued. A notable and brave example is Vikram Seth's *The Golden Gate*, rightly hailed as a tour de force when it appeared in 1986. Seth consciously took on his late modernist difficulties. Telling a continuous, highly detailed, and often satirical story, he set the book around California's Silicon Valley and put his verse to the test of acknowledging the new technologies (*He thought of or-gates and of and-gates, / Of ROMS, of nor-gates, and*

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of nand-gates, / Of nanoseconds, megabytes, / And bits and nibbles"). In *History: The Home Movie* (1994)—subtitled "A Novel in Verse"—the British poet Craig Raine tried differently, taking a sequence of interlinked lyric and often autobiographical poems to tell an epic narrative of European history from 1905 to (appropriately) 1984.

How does Burgess succeed? To my taste, amazingly well. Apart from a few slightly falsified notes at the end, he dispenses with any poetic grandeur or pretension and stakes his endeavor on the flexibility of ottava rima, the voice of the poetaster, and the joyous use of what he calls "old-fashioned rhyme." As in Byron and Pushkin, a wonderful wit is released by sheer skill at rhyming:

The Irish are peculiar, no doubt:
They prefer drink to women. Nightly splurges
On whiskey, pints of plain or creaming stout
Serve to inhibit their erotic urges.
Seed-spending's peccative, but seed will out,
As Dr Kettle said. The Irish clergy's
At one with booze in locking semen in,
Though holy wedlock will annul the sin.

So the form, in Burgess's hand, yields easily: to dialogue, social reportage and observation, the flavor and discourse of the contemporary scene (*"You're seeing Tom?" asked Brian. "Yes, D. V. / Venice, tomorrow." "Venice? Lucky you."*). The chatter of couples in restaurants, the speeches of conferences and congresses, the demands of modern dialogue, opening up to the sound of multiple voices (Japanese, French, American), the depiction of movies and musicals, the evocation of the spirit of Nazism (*Carl Orff assumed that Byrne would come a cropper, a / Jew who presumed to write a German opera*): Everything the novel inside the poem needs to have is caught.

So, Burgess completely justifies the enterprise. The genre he chooses for recuperation entirely matches his theme, and the clear echoes of *Don Juan* properly match the subject. Far from being a constraint, the generic debt opens out the meaning, for this is a story about how art tries to emerge from dross and soiled history, and how our own times, taking the art of the past as a theme-park, cannibalize and pervert tales and forms made for grander ends.

Byrne's own final testament—which is told in five concluding sonnets, to be recited, he says, by Sir John Gielgud—tells a tale of the great seasons of art, from the medieval and pastoral to the classical and rational, and so on to our own soiled and vulgarizing age. Yet something sings through it all, a chaotic artistic search for the greater music of the spheres.

By taking a form that imprints the history of earlier cultures onto a modern theme, Burgess in his posthumous book both mourns and masters his material, and writes his own last testament. He has written final testaments before, ends to his Enderbys. But this last throw gives us a Burgess to remember, and admire. ♦

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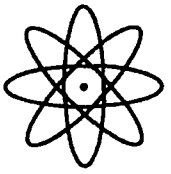

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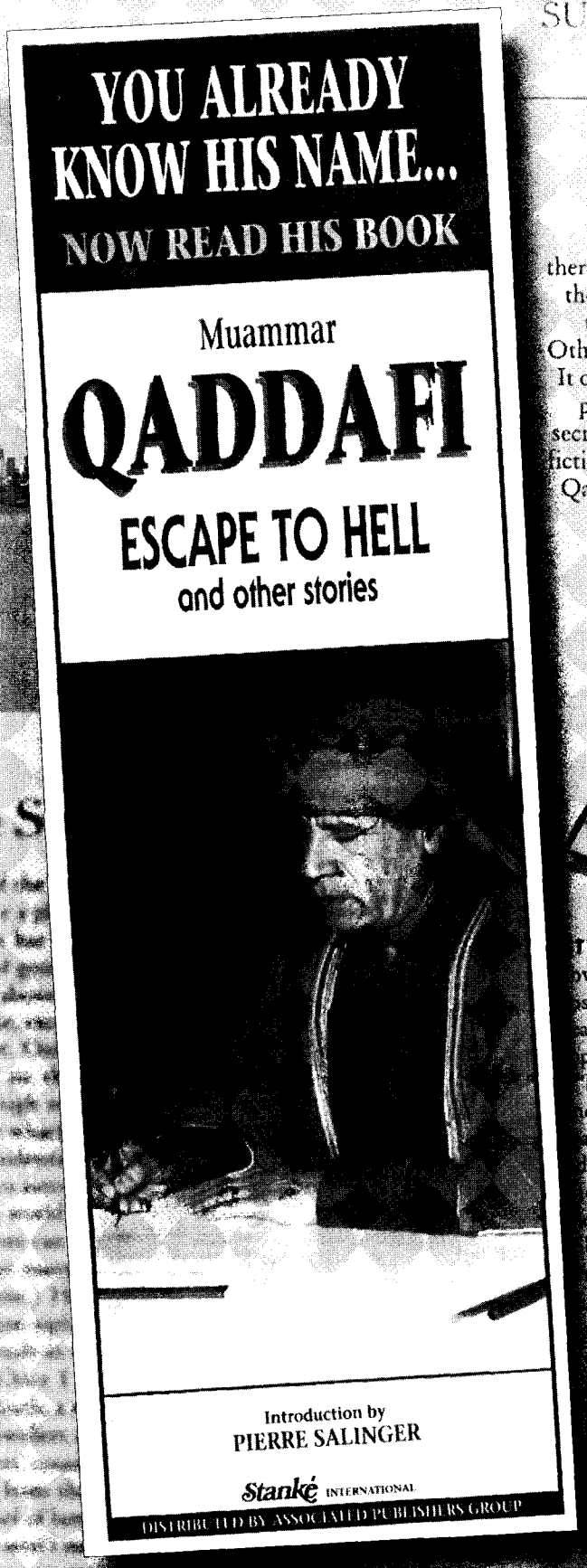
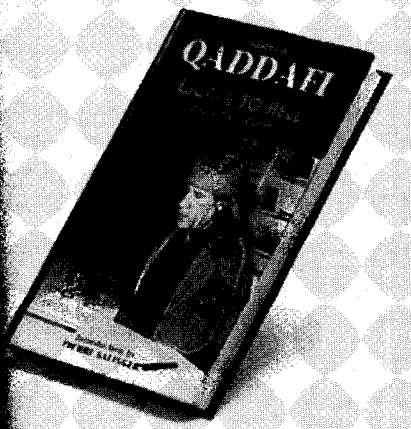


BOOKS

Tender Is the Strongman

He won't be sitting down with Oprah, and he may be the only writer out there who's been bombed by a foreign power. He's Col. Muammar el-Qaddafi, the longtime Libyan leader who is set to invade continental North America this month by way of, um, short fiction. His book, "Escape to Hell and Other Stories," is a collection of stories and essays originally written in Arabic. It comes to the English-speaking world courtesy of Alain Stanké, a Montreal publisher. Also in on the deal was Pierre Salinger, the former J.F.K. press secretary and air-disaster theorist who discusses Qaddafi's work (political and fictional) in the book's preface. So what can readers expect? *Sizzle.* Stanké calls Qaddafi "an original thinker whose ideas flow from the ever-developing and conflicting reality of what is best and most beautiful." Here's a look:



TYLE OF HIS OWN "Statesmen are wn to resort to the services of stwriters," Stanké says in a press ase, but not the leader known to his ple as "The Guide," who insists holding the quill personally." d pressing the flesh: Salinger had dy met Qaddafi in Libya.) dafi obviously does not fear big, erly subjects. In one story, Suicide of the Astronaut," a poor bolic sap who's been to space hack it back on Earth and — but gh! Why spoil the ending? lso writes about a rival country ned by "individualism and ant capitalism," a nasty kind of called "Amelica."

THE MESSAGE What Qaddafi really wants to talk about is how much of a mess we've made of the planet. "The earth is the lung through which you breathe," he warns, "so if you destroy it, you will have no way to breathe." Part of the problem is that we live in cities, and that's bad because the city is "a graveyard of social connections and relations." What we need to do, more or less, is "depart the city and flee to the village, where you will see the moon for the first time in your lives. You will change from being worms and rats. . . ." And snails, let us not forget the snails: "The city is also a sea, full of flotsam and snails. The snails are people."

NO PLANS TO TOUR Stanké reports that these days, Qaddafi is a bit of a recluse, spending most of his time in his tent "in order to meditate, study . . . and write!" There's no word yet on what he's working on now. As for Stanké, he believes this whole world-leader-taking-time-to-scribble thing could be the start of something very big. "I don't know specifically of any other projects involving world leaders," a Stanké spokesman says. "But I know that Stanké has met Castro. There may be something there."

The above advertisement appeared in the *New York Times Book Review*, and the article in the *NYT Magazine*, on April 12.

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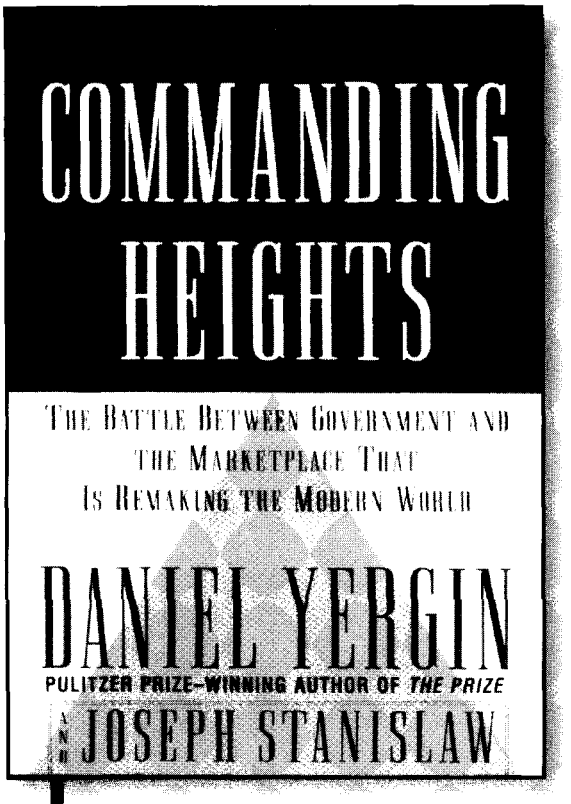

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